

***PERSONNEL  
POLICIES  
AND  
PROCEDURES  
MANUAL***

*March 1, 2016*

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**ISLAND COUNTY**  
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**PERSONNEL POLICIES AND PROCEDURES MANUAL  
ISLAND COUNTY**

**I. PURPOSE, COVERAGE AND ADOPTION OF  
POLICIES**

<b>I.1 STATEMENT OF PURPOSE</b>
---------------------------------

The purpose of these policies and procedures is to establish a system of personnel administration based on principles and professional methods of governing that apply to the recruitment, selection, employment, transfer, removal, discipline and welfare of employees as well as other aspects of County employment.

**COUNTY POLICIES INCLUDED IN THIS MANUAL DO NOT CONSTITUTE A CONTRACT WITH EMPLOYEES, NOR DO THEY PROMISE PERMANENT EMPLOYMENT. THE COUNTY RESERVES LEGAL RIGHT TO RECRUIT, SELECT, DIRECT, DISCIPLINE AND DISCHARGE EMPLOYEES AND EXERCISE ALL LAWFUL DISCRETION OVER THE ORGANIZATION'S POLICIES AND PERFORMANCE OF WORK.**

**EMPLOYMENT WITH ISLAND COUNTY IS AT-WILL AND ISLAND COUNTY AND ITS OFFICIALS MAY TERMINATE ANY EMPLOYEE'S EMPLOYMENT AT ANY TIME. NO PROVISIONS OF THIS MANUAL SHALL BE INTERPRETED OR CONSTRUED AS A PROMISE OF PERMANENT OR CONTINUED EMPLOYMENT. EMPLOYEES HAVE THE RIGHT TO TERMINATE THEIR EMPLOYMENT WITH ISLAND COUNTY AT ANY TIME.**

It is the specific intent of these policies to assist in accomplishment of the following objectives:

To recruit, select, and advance employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.

To assist in the accomplishment of equal employment opportunity objectives of the County.

To assure fair treatment of applicants and employees in all aspects of personnel administration and not discriminate on the basis of political affiliation, age (40 or over), sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification: PROVIDED, that the prohibition against discrimination because of such disability shall not apply if the particular disability prevents the proper performance of the particular worker involved.

To better inform employees of their rights, benefits, and responsibilities.

The Personnel Policies & Procedures Manual (PPPM) will be reviewed each year by Human Resources and amendments to the PPPM are subject to change at the discretion of the Board of County Commissioners and the other elected officials of Island County in order to maintain their legal compliance and operational effectiveness. Upon amendment of any part of the PPPM, the County will endeavor to notify employees, in a timely fashion, of such changes and their effects. As amendments are made, the PPPM will be revised and the current version made available to all employees on the Human Resources intranet site.

## **I.2 SCOPE OF COVERAGE**

Policies apply to all non-represented employees. Elected Officials are not included or classified as non-represented employees. For employees represented under collective bargaining agreements, or civil service rules, the PPPM shall be applicable in all areas reserved to management in the individual negotiated agreements.

## **I.3 UNION REPRESENTATION**

County employees shall be free of unlawful interference by any person on the selection of their chosen representative as provided by Washington Statute.

## **I.4 AUTHORITY AND RESPONSIBILITIES**

The Board of County Commissioners shall have general overall authority and responsibility for labor relations and personnel administration concerning the County.

This policy recognizes the independent authority of each of the following County officers over his/her office or department; the Assessor, the Auditor, the County Clerk, the Prosecuting Attorney, the Sheriff, the Treasurer, the Superior and District Court Judges, and the Coroner. Each of these officers must individually agree to any provision of this policy which is relative within his/her office or department. All parties recognize the inability of the County Commissioners or another elected officer to bind a different elected County officer with respect to the operations and conditions within his office or department.

The Board of County Commissioners or their designee shall:

Advise the officials of the County on all matters pertaining to the administration of personnel and ensure that personnel policies and related contractual obligations are observed by all concerned. Direct the development and maintenance of classification and pay plans.

Direct the operation of recruitment, employment and promotion programs, and assure equal opportunity in these areas.

Direct the maintenance of an up-to-date personnel record system.

Direct the preparation of reports on personnel as may be required to accomplish employee program objectives.

Advise and assist all Department Heads in the interpretation and application of all employee relation matters. Review and implement the personnel aspects of all organizational plans and modifications thereto.

Direct the labor relation functions of the County.

## **I.5 SEVERABILITY**

If any provision or application of these policies to any persons or circumstance is held invalid, the remainder of the policies or the application of the provision to other persons or circumstances is not affected.

## **I.6 AMENDMENTS AND REVISIONS**

This Manual, updated on March 1, 2016, upon the passage of Resolution C-21-16, replaces the Island County Employee's Manual dated 01/21/04 as thereafter revised and any other inconsistent Island County ordinances, resolutions or policies in order to establish updated policies and procedures for the personnel management system.

Elected Officials and Department Heads are encouraged to submit proposed additions or modifications to the Board of County Commissioners at any time for their consideration. Personnel policies relating to the operation of Island County may be amended or revised, in whole or in part, by resolution of the Board of County Commissioners in the same manner as originally adopted and approved. Such amendments or revisions shall not be retroactive.

## **I.7 DEFINITIONS OF TERMS**

The following terms are used to describe Island County's personnel policies and shall be defined as indicated below unless the context clearly indicates otherwise:

1. **Administrative Leave** - Administrative leave is paid leave assigned to an individual by management pursuant to Section VIII.6.B.3.
2. **Applicant** - A person who has made formal application for a position by completion of an Island County Job Application form and presenting that form to the County Human Resources office.
3. **Appointing Authority** - The individual or group of individuals responsible for appointment, promotion, discipline, and termination of an employee or employees.
4. **Appointment** - The assignment of a qualified applicant to a position by the Appointing Authority.

5. **Classification Plan** - All class descriptions completed into one written document.
6. **Compensatory Time** - Time off from work to compensate the employee for overtime worked.
7. **Continuous Service** - Employment without interruption except for leaves of authorized absence.
8. **Credit card** - a card or device issued under an arrangement pursuant to which the issuer gives to a card holder the privilege of obtaining credit from the issuer.
9. **Demotion** - The movement of an employee from one class to another class having a lower base rate of pay.
10. **Department Head** - The appointed director of a department.
11. **Disciplinary Action** - Imposition of certain personnel actions (e.g., reprimand, warning, suspension, dismissal, demotion).
12. **Dismissal or Discharge** - Involuntary separation or termination of employment.
13. **Elected Official** - An individual elected by the voters to discharge the duties of his/her elective office, or an individual duly appointed to fill a vacancy in an elective office.
14. **Examination** - Any device or procedure used in the selection process to measure applicants' ability and suitability for a position, including but not limited to oral interviews, written tests, performance tests, evaluation of performance and scored evaluation of education and experience.
15. **Exempt Employee** - An Elected Official, non-covered staff member, executive, administrative, or professional employee exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act or Washington Minimum Wage Act.
16. **Essential Duties** - One or more elements that must be achieved in order to meet the job objectives.
17. **Grievance** - An employee's written expression of dissatisfaction with some aspect of these rules and regulations affecting him or her, for the purpose of attempting to gain an adjustment of said cause of dissatisfaction.
18. **Immediate Family** - For purpose of bereavement leave, persons related by blood or marriage, or legal adoption in the degree of consanguinity of grandparent, parent, spouse, registered domestic partner, brother, sister, child or grandchild or relative living in the employee's household, or otherwise approved by elected official/department head. The definition of "family" for application of health and welfare benefits or legally-mandated leave will be controlled by law or by benefits summary plan documents.
19. **Layoff** - The involuntary termination of an employee due to lack of work, lack of funds, or reorganization.
20. **Municipal Officer** - "Municipal Officer" and "officer" shall each include all elected and appointed officers of Island County, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer. (See [RCW 42.23.020](#))
21. **Overtime** - Time worked in excess of forty (40) hours in any one work week for non-law enforcement personnel and hours worked in excess of 171 hours in a designated consecutive 28 day work period for law enforcement personnel under the Federal Fair Labor Standards Act.

22. **Overtime Pay** - Rate of pay (time-and-a-half) for each hour a non-exempt employee works in excess of the regularly scheduled full-time workweek.
23. **Personnel Action** - Any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal or other action affecting the status of employment.
24. **Position** - A group of current duties and responsibilities established by the legislative body of the County and requiring the employment of one person.
25. **Promotion** - The movement of an employee from a position in one class to another class imposing increased duties and responsibilities, requiring greater pay and qualifications and providing a higher base rate of pay.
26. **Reclassification** - A change in classification of a position by raising it to a higher class, reducing it to a lower class, or changing it to another class at the same longevity level.
27. **Regular Full-Time Employee** - Employees working a regular schedule of thirty-five (35) to forty (40) hours per week.
28. **Regular Part-Time Employee** - An employee working a regular schedule or less than thirty-five (35) hours per week or on an on-call basis.
29. **Resignation** - The voluntary action by an employee to terminate his/her employment.
30. **Suspension** - A temporary removal from duty with or without pay of an employee for disciplinary purposes or for the purpose of investigation of accusations brought against an employee.
31. **Temporary Employee** - An employee working a full-time or part-time schedule for a specific period of time.
32. **Termination** - The voluntary or involuntary cessation of employment with the County.
33. **Transfer** - The movement of an employee from one position to another in the same or different class having essentially the same salary range, involving the performance of similar duties, and requiring substantially the same basic qualifications.
34. **Travel Status** - An employee is in travel status when performing official duties away from the location where the employee's normal permanent office is located and may be eligible for reimbursement of certain expenses. Travel status excludes time spent commuting between the normal permanent office and the residence of the employee.
35. **Wage Grid** - A schedule of salary ranges of all classes in the service of the County, including single position classes, setting forth the salary range for each such class in accordance with the criteria and procedures set forth in this manual.
36. **Workweek** - An employee's workweek is a fixed number of hours per week. The workweek commences at 12:01 a.m. on Sunday and concludes at 12:00 midnight the following Saturday unless otherwise specified by the Elected Official/Department Head. For law enforcement personnel the Elected Official/Department Head may designate a workweek to consist of up to 28 consecutive days as allowed under the Federal Fair Labor Standards Act.

## II. PAY AND CLASSIFICATION

### II.1 EMPLOYEE COMPENSATION PLAN

The County shall maintain an Employee Compensation Plan which shall be adopted by the Board of County Commissioners. The Plan shall encompass all Island County position classifications and shall apply to all paid employees.

Compensation growth must be limited to that which the County can sustain in ongoing revenues.

The salary/hourly rate established for a position shall represent the total remuneration for an employee occupying the position, notwithstanding pre-approved reimbursement for official travel and valid ancillary expenses.

#### A. Salary/Hourly Rate Ranges

An individual's salary shall be within the salary range that is assigned to their position based on the position's duties and responsibilities.

#### B. Placement in Salary Range at Hire

**Minimum:** Represents entry-level pay.

**Midpoint:** Represents pay for a seasoned senior employee hired with at least 5 years of experience in a comparable position.

**Maximum:** New hire compensation rates set between Midpoint and Maximum offered to new hires in recognition of their experience must be approved by the Board of County Commissioners.

Represents pay for a seasoned employee with at least 20 years of commensurate experience.

If a current employee is offered a transfer into a lateral position, HR approval is required in order to offer them an increase over 2.5% greater than their pay in the current position.

#### C. Adjustment of Salary Ranges

Salary ranges may be adjusted periodically in accordance with Sections II.2, II.3 and II.4. Adjustments of salary ranges do not increase the salary paid to an employee, but provide increased potential for within-range salary advancement.

#### D. Performance Based Increases

Salary advancement within a salary range is based primarily on merit. The increase awarded to an eligible employee is based on a review of current pay and assigned responsibilities, the employee's current position within the salary range, relative performance and availability of funds.

No performance increase is authorized without a written performance appraisal which substantiates an increase in pay due to merit. A performance increase may not exceed 2.5%, and must be based on performance and increase date eligibility.

Once an employee has reached the maximum for their pay grade they are not eligible for any other increases until the maximum has been increased due to range adjustment, they are promoted or their position is reclassified.

**E. Increase Date Eligibility**

Employees are eligible for a performance-based pay increase on the following anniversary dates:

After completing	2 years
	5 years
	8 years
	11 years
	14 years
	17 years
	20 years
	Every 5 years thereafter

**F. Promotional Increases**

A salary increase may be granted upon promotion or upward reclassification.

**G. Salary Adjustments upon demotion or downward reclassification**

An employee normally will receive a salary decrease upon demotion due to performance (“Demotion” is defined as the movement of an employee from one class to another class having a lower base rate of pay). Upon downward reclassification, an employee may receive a salary decrease; however, the employee's current salary rate may be retained even though the salary is above the maximum of the salary range for the new class upon approval of the Board of County Commissioners.

**H. Cost of Living Adjustments (COLAs)**

As part of the annual budget process the Board of County Commissioners will consider the necessity and feasibility of providing a COLA to non-represented employees. They will consider inflationary trends, the County financial picture and COLAs being provided to represented employees when making this determination.

See also:

[II.2 – Maintenance and Revision of the Pay Plan](#)

[II.3 – Administrative Provisions](#)

[II.4 – Classifications Plan/Pay Grade—New Positions and Revisions of Existing Positions](#)

[II.5 – Temporary Positions—Pay Grade Authorization by Board of County Commissioners](#)

## **II.2 MAINTENANCE AND REVISION OF THE PAY PLAN**

The necessity of re-evaluating job content for purposes of the salary grid, updating salary ranges, or revising other elements of the plan may arise due to the assumption of new County services, the expansion or contraction of existing services, and changes in the salary levels.

The application of the plan will be reviewed by the Board of County Commissioners as required to verify the adequacy of job descriptions and the proper evaluation of jobs to appropriate salary ranges and to assure that employees are properly classified and compensated in accordance with the plan.

Amendments to the plan shall be recommended to the Board of County Commissioners by the Elected Officials/Department Heads.

See also:

[II.1 – Employee Compensation Plan](#)

[II.3 – Administrative Provisions](#)

[II.4 – Classifications Plan/Pay Grade—New Positions and Revisions of Existing Positions](#)

[II.5 – Temporary Positions—Pay Grade Authorization by Board of County Commissioners](#)

## **II.3 ADMINISTRATIVE PROVISIONS**

The administration of the Employee Compensation Plan is the responsibility of the Board of County Commissioners. The Board of County Commissioners is responsible for development, maintenance, and administration of a uniform and equitable pay plan based upon the Classification Plan for all positions in the County service.

See also:

[II.1 – Employee Compensation Plan](#)

[II.2 – Maintenance and Revision of the Pay Plan](#)

[II.4 – Classifications Plan/Pay Grade—New Positions and Revisions of Existing Positions](#)

[II.5 – Temporary Positions—Pay Grade Authorization by Board of County Commissioners](#)

## **II.4 CLASSIFICATIONS PLAN/PAY GRADE—NEW POSITIONS AND REVISIONS OF EXISTING POSITIONS**

- A. Requests for revisions in the pay grade of any position or requests to determine the pay classification of a new position shall be made in writing to the Board of County Commissioners by the Elected Official/Department Head and submitted through the Human Resources Department. Request for revision and pay grade shall be accepted not more frequently than once per year for a particular position.
- B. All requests must contain the following support for the request, and comply with Section V.5.

1. For a new position, a completed Position Analysis Questionnaire (PAQ) that accurately reflects the education required, essential duties, responsibilities and activities of the position to be classified or reclassified.
  2. Requests for reclassification based on educational requirements must clearly state what additional required education has been completed since the original classification. A copy of the RCW or similar documentation indicating the change in educational requirements must be attached.
  3. A request for reclassification based on a change in duties must clearly state what the new or additional duties are and why they have been required. A side-by-side PAQ will be submitted showing the old circumstances in the left column and the changed circumstances in the right column directly opposite so that the differences are readily apparent.
  4. A detailed statement from the requester as to the impact on the department budget if such classification or reclassification were granted.
  5. Any other factors the requester wishes the Commissioners to consider.
  6. Submissions not meeting the minimum documentary support required in this section will be returned to the requester.
- C. Human Resources will recommend a preliminary classification for the position based on the PAQ, discussion with the department head/elected official, internal comparators and market data for comparable counties and forward the request to the Board of County Commissioners. If the position is in a Bargaining Unit, Human Resources will first forward the recommendation to the Bargaining Unit, including market data and internal comparators, for Bargaining Unit comments, and any comments made by the Bargaining Unit will be included in the information sent to the Board of County Commissioners.
- D. The preliminary classification will be reviewed by the Board of County Commissioners.
- E. After the preliminary classification has been reviewed the Board may reassess the position in view of concerns raised or expressed regarding the preliminary assessment. A final classification report shall then be issued by the Board of County Commissioners and the Human Resources Department shall be notified.
- F. Upon adoption of the final classification report by the Board of County Commissioners, the Human Resources Department will be notified to process a job requisition and/or a personnel status change form. If the position is a reclassification the grid position shall be revised.
- G. Progression from a position in a lower grade to a position of the same title at a higher grade within a department or unit of the County shall not be automatic except where the department has a written progression system that: (1) has increasing responsibilities or training that are objectively measured; (2) is in the best interest of the County; and (3) has been formally approved by the Board of County Commissioners as a progression system for the affected County department or unit.

- H. When the Board of County Commissioners has received evidence that the responsibilities of a position have been reduced and such reduction in responsibilities results in an inequity for the assigned pay grade the Board of County Commissioners may require a position to be re-evaluated to ensure equity with other County positions. If the re-evaluation cannot be accomplished after a reasonable time due to lack of timely cooperation in providing the detailed information in conformity with subsection “B” above, then the position may be classified as a pay grade four (4) until such time as the re-evaluation is completed. When bargaining unit persons are affected by a reduction, such reduction shall only be effective after consultation with the appropriate bargaining unit representative.

See also:

[II.1 – Employee Compensation Plan](#)

[II.2 – Maintenance and Revision of the Pay Plan](#)

[II.3 – Administrative Provisions](#)

[II.5 – Temporary Positions – Pay Grade Authorization by Board of County Commissioners](#)

[V.5 – Job Requisitions and Personnel Status Change Forms](#)

<b>II.5</b>	<b>TEMPORARY POSITIONS—PAY GRADE AUTHORIZATION BY BOARD OF COUNTY COMMISSIONERS</b>
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- A. Except for recurring seasonal and on-call temporary positions for which the Board has already approved hourly wage rates, which positions are authorized by the Board in the annual budget process, the Elected Official/Department Head shall upon the demonstration of need for a temporary position make written application requesting an appointment of a temporary position and submit the request for an appointment to the Human Resources department. The application shall include the reason the position is necessary, source of funding, duration of position, and other relevant information regarding the justification for the expenditure of public funds. The Human Resources department will forward the request to the Board of County Commissioners.
- B. A temporary position is a unit of work to be performed by an individual in the employ of the County where such unit of work is to be performed for six (6) months or less, on an annual recurring or a non-recurring basis, unless otherwise authorized by the Board of County Commissioners.
- C. Once a temporary position has been authorized by the Board of County Commissioners pursuant to (A) above, the Elected Official/Department Head shall comply with the requirements of Section V.5. Seasonal and on-call temporary employees whose positions have not gone through the process of Section V.5 must nonetheless still complete the standard job application and orientation through the Human Resources department.

- D. Upon receipt of the description of duties outlined in (C) above, the Board of County Commissioners shall determine the proper wage grade comparable to like positions on the wage grid for the temporary position and notify the Elected Official/Department Head and the Auditor's office of the approved wage grade and length of time the position is to be authorized.
- E. The provisions of Section II.4 do not apply to temporary employees.
- F. Benefits will be determined by Section III.1.

See also:

[II.1 – Employee Compensation Plan](#)

[II.2 – Maintenance and Revision of the Pay Plan](#)

[II.3 – Administrative Provisions](#)

[II.4 – Classifications Plan/Pay Grade—New Positions and Revisions of Existing Positions](#)

[III.I – Eligibility for Benefits](#)

[V.5 – Job Requisitions and Personnel Status Change Forms](#)

## **II.6 PAY GRADE-ACTING SUPERVISOR OR DEPARTMENT HEAD**

Where an employee of this County is assigned the responsibilities as an “interim” or “acting” supervisor or Department Head outside of a bargaining unit and such position in which the employee is “acting” has been classified at a pay grade higher than the current grade of the employee who will be “acting” then, upon approval of the Board of County Commissioners, the pay of the employee who is “acting” in the higher capacity may be advanced by two (2) pay grades for up to ninety (90) days from the date of approval. If necessary, this period may be extended for an additional ninety (90) days. Temporary assignment may be terminated at any time as determined by the Board of County Commissioners.

## **II.7 PAY DAYS**

- A. Island County pays its employees bi-weekly, every other Friday.
- B. All employees will participate in direct deposit of their paychecks.
- C. Deductions shall be made from the salaries of all County employees as prescribed by law. On the regular payday, deductions shall be made for federal withholding tax, social security, employee's retirement fund, state industrial insurance, health insurance, union dues, and any other lawful and authorized deductions.
- D. A statement shall be mailed or given to each employee in January, showing his or her total earnings and tax for use in income tax filing.

## II.8 SERVICE CREDIT UPON REHIRE

The policy of Island County regarding service credit after rehire (split employment) is established as follows:

1. In the case of split employment with Island County, the employee's rehire date will be the new date of service with Island County and pay will be based from that date forward.
2. Upon serving a period of three (3) years continuous employment after rehire, the previous employment period will then be added to the employee's total service time. After three (3) years back, the employee will also begin to receive service credit for their previous employment for the purpose of leave accrual.
3. There is no provision for longevity back-pay in the foregoing situation.

## II.9 OVERTIME PAY

- A. Overtime Pay** - Overtime pay is paid to all employees except those classified as exempt or those not covered under the law. An eligible employee earns overtime pay in accordance with the Federal Fair Labor Standards Act and the Washington Minimum Wage Act. Overtime shall be granted only upon approval of the supervisor in charge. Whenever an eligible employee is specifically authorized or requested by his/her supervisor to work overtime, he/she shall receive overtime pay for each overtime hour worked.
- B. Holiday Pay** – Employees who are required by their supervisor to report to work during a day which is proclaimed as a holiday by the Island County board of Commissioners shall be compensated at the rate of time-and-one-half for all hours actually worked on that designated holiday.
- C. Emergency Work Premium Pay – Non-Represented Overtime Eligible Employees** – In the event there is a need for coverage outside of normal work hours due to a Board of County Commissioners' declared emergency situation, non-represented overtime eligible employees shall be paid at time-and-one-half (1 ½) the employee's hourly rate of pay for hours worked in excess of eight (8) hours per day for hours worked on a regular workday and time-and-one-half for all hours worked on a holiday or other ordinarily non-working day. (NOTE: If the normal workday of an employee covered by this section is ten (10) hours, this section only applies to hours worked on a normal workday in excess of ten (10) hours.) Only the Board of County Commissioners will determine if an emergency exists that triggers this premium pay. The use of this premium is not applicable to non-emergency fluctuations in workload or to foreseeable situations. This premium pay will not apply to any hours worked that are considered as overtime hours under the Federal Fair Labor Standards Act and Washington Minimum Wage Act. For those overtime hours worked, the employee will receive only overtime pay.

## **II.10 COMPENSATORY TIME**

In lieu of overtime pay, compensatory time may be agreed upon between the employee and the employer for hours worked in excess of forty (40) hours per week subject to prior written approval of the Elected Official/Department Head. Compensatory time requests shall be made each time overtime is worked. If compensatory time is agreed upon, such time normally shall be used within the pay period following the pay period in which it is earned. Compensatory time shall be accrued at a rate of one and one half hours (1 and ½ hours) for each hour of overtime worked. Maximum accrual for compensatory time shall be forty (40) hours. Unexpended compensatory time shall be paid upon termination of employment; however, such time must be substantiated by prior written approval of Elected Official/Department Head to be eligible for termination pay.

For employees working a thirty-five (35) hour workweek, or less, work that is performed in excess of their regularly scheduled hours but less than forty (40) hours shall not be considered overtime, but as compensatory time earned at one (1) hour for one (1) hour worked. This section does not apply to employees not covered by or exempt from the Fair Labor Standards Act. Such employees are not eligible for compensatory time or overtime pay.

## **III. BENEFITS**

### **III.1 ELIGIBILITY FOR BENEFITS**

Regular full-time employees and regular part-time employees (on a prorated basis) are eligible for employee benefits offered by the County, unless otherwise specified in these policies.

Temporary employees are not eligible for paid holidays, paid leave, medical benefits, or any other benefits unless otherwise specified in these policies or provided by law.

See also:

[III.2 – Medical Insurance](#)

### **III.2 MEDICAL INSURANCE**

Regular full-time employees and regular part-time employees, whose normal schedule totals not less than 30 hours per week, are eligible to take part in Island County's health care plan, providing they meet the eligibility rules as specified by the plan contracts. Premium payments for the health care plans are shared by employer and employee as determined by the Board of County Commissioners. Employees who decline County coverage must show evidence of coverage elsewhere.

Coverage for spouse and/or dependents will be offered and payment will be shared by employer and employee as determined by the Board of County Commissioners, provided they meet the eligibility rules as specified by the plan contracts.

Continuation coverage under the Federal COBRA law is available.

Information on COBRA coverage is available from the Human Resources office.

### **III.3 ELIGIBILITY FOR RETIREMENT SYSTEM**

Within guidelines established by the Washington State Department of Retirement (DRS), all employees are to be enrolled in either the Public Employees Retirement System (PERS), the Law Enforcement Officers & Firefighters System (LEOFF) or the Public Safety Employees' Retirement System (PSERS).

A percentage, depending on the plan enrollment, of the employee's gross salary is deducted from earnings; also a percentage of the employee's gross salary is contributed by Island County and sent to DRS.

Details concerning benefits on retirement and further regulations are available from the Department of Retirement Systems, 1025 East Union, Olympia, Washington 98504, or from the Human Resources office.

### **III.4 SOCIAL SECURITY**

Island County regular full-time, regular part-time and temporary employees are covered by the Federal Social Security program. Employee contributions are deducted from paychecks and employer contributions are made by the County. An employee with a question relative to social security coverage may contact the Payroll Department of the County Auditor.

### **III.5 HOLIDAYS**

The following days with actual dates specified by the Board of County Commissioners will be recognized as holidays with pay for all regular full-time and regular part-time employees:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas

Regular part-time employees shall receive holiday pay on a prorated basis as follows:

		<u>Hours worked</u>
32 Hr. Week (5 Day Work Wk)	=	6.4 Hr. Holiday for 25.6 Hrs.
24 Hr. Week (5 Day Work Wk)	=	4.8 Hr. Holiday for 19.2 Hrs.
16 Hr. Week (5 Day Work Wk)	=	3.2 Hr. Holiday for 12.8 Hrs.
8 Hr. Week (5 Day work Wk)	=	1.6 Hr. Holiday for 6.4 Hrs.

Paid holidays begin at the date of hire.

Holidays observed during an employee's annual vacation or other paid leave period shall not be counted as vacation or leave time.

See also:

[III.6 – Holidays falling on scheduled day off](#)

[III.7 – Unpaid Holidays for Reasons of Faith or Conscience](#)

### **III.6 HOLIDAYS FALLING ON SCHEDULED DAY OFF**

- A. When a holiday falls on Saturday, employees not scheduled to work Saturday shall observe the preceding Friday as the holiday.
- B. When a holiday falls on Sunday, employees not scheduled to work Sunday shall observe the following Monday as the holiday.
- C. When a holiday falls on an employee's normal day off, the employee's Elected Official/Department Head will determine when the holiday day off will be taken, unless the Board of County Commissioners has determined otherwise.

See also:

[III.5 – Holidays](#)

[III.7 – Unpaid Holidays for Reasons of Faith or Conscience](#)

### **III.7 UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE**

Under Washington law, Island County employees are entitled to up to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

If an employee wishes to be compensated for the time off, they must use accrued vacation leave or compensatory time. A partial day off will count as a full day toward an employee's yearly allotment of two days.

To take a day off or partial day off under this law, an employee must consult with their supervisor and submit a written request to their supervisor at least two weeks in advance. Untimely requests will only be considered if the employee can demonstrate that timely notice was not possible under the circumstances.

The unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" under WAC 82-56-010.

If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless:

- The request was not submitted in a timely fashion, or
- The reason for the requested leave is not appropriate under the law, or
- The employee has already exhausted their allotment of days off under the law, or
- The employee is in a public safety position, such as police, fire, or dispatch, and granting the leave would result in the shift falling below necessary staffing levels, or
- Granting the request would cause an undue hardship; the term "undue hardship" has the meaning contained in the rule established by Washington's Office of Financial Management.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

See also:

[III.5 – Holidays](#)

[III.6 – Holidays falling on scheduled day off](#)

[WAC 82-56-020 – Definition of "Undue Hardship"](#)

## **III.8 TRAINING**

Training sessions may be conducted during regular working hours at the discretion of the Elected Official/Department Head. County-wide training sessions shall be provided when appropriate. Elected Officials/Department Heads should assist in designing programs that will meet the County-wide personnel needs.

The County will reimburse employees for pre-approved tuition costs incurred to achieve job-required certifications.

## IV. LEAVE

### IV.1 SICK LEAVE ACCRUED

- A. Regular full-time and regular part-time employees shall accrue sick leave benefits from date of hire for use following completion of one (1) month's continuous service. For purposes of this policy, the employee's regular weekly work schedule includes regular hours worked, holidays, vacations, sick leave or bereavement leave and excludes leave of absence without pay periods.
- B. A temporary change in the employee's regular weekly work schedule shall not affect the employee's accumulation of sick leave benefits.
- C. Employees may accrue up to one hundred twenty (120) days of earned but unused sick leave.
- D. The employee shall be compensated in cash for 50 percent (50%) of his/her unused sick leave upon retirement, involuntary termination except as stated below, voluntary termination, and 100 percent (100%) compensation shall be made to employee's beneficiary in event of death, and shall be payable in one lump sum on the employee's last paycheck. No compensation shall be made for unused sick leave accrued by employees who have been terminated as a result of disciplinary action or who resign because of pending disciplinary action.
- E. A Wellness Incentive Program (sick leave/buy back) - may be available on a year-to-year basis as authorized by the Board of County Commissioners. To be eligible for and participate in such Wellness Incentive Program, an employee must have a minimum of four (4) weeks Sick Leave balance (160 hours for a full-time employee – prorated for those employees less than full-time).
- F. In the event an employee is absent due to L&I time loss (sick leave use described below), and the absence results in L&I top-up need in excess of the employee's accrued sick leave, the following shall apply in order:
  - 1. Earned but unused vacation leave.
  - 2. Upon approval of Elected Official/Department Head, a leave of absence without pay, if employee has no accrued vacation time.
- G. **SICK LEAVE PAID IN CONJUNCTION WITH L&I TIME LOSS**
  - 1. Any employee who is eligible for state industrial compensation for time off because of an on-the-job injury shall be paid sick leave in the amount of the difference between his regular pay and that paid by state industrial, after the first three (3) days off the job. In no event shall the accumulation of sick leave and L&I income result in any employee receiving income in excess of 100% of their regular straight-time income for the same period of time.
  - 2. Full amount of sick leave shall be paid the first three (3) days. Should an employee be later paid by state industrial for the first three (3) days absence, the amount paid

to the employee by state industrial for the three (3) days shall be credited to Island County from the money due the employee in the next payroll period.

3. The pro rata part of sick leave, as determined by the ratio of regular sick leave and state industrial compensation, shall be charged to the employee for time off the job.
4. No employee shall return to work from a disability injury covered by state industrial insurance until such time as he/she is found to be rehabilitated as determined in writing by a physician.
5. If the degree of disability of an employee does not limit the ability to fully perform the activities of another position/job classification at the option of the Elected Official/Department Head, an employee may be temporarily reassigned to such job classification until fully rehabilitated to perform the regular classification assignment.

See also:

[IV.2 – Uses of Sick Leave](#)

[IV.3 – Reporting of Sick Leave](#)

[IV.4 – Injury on the Job](#)

[IV.5 – Vacation Leave](#)

[IV.8 – Leaves of Absence without pay](#)

[IV.9 – Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

[IV.12 – Leave Without Pay During Active Duty/Re-employment](#)

[IV.15 – Jury Witness Leave](#)

## **IV.2 USES OF SICK LEAVE**

Sick leave may be taken for any of the following reasons:

- A. Illness or injury which incapacitates the employee to the extent that he/she is unable to perform his/her work.
- B. Exposure to contagious disease such as would jeopardize the health of fellow workers or the public.
- C. Doctor, dental or optical appointments.
- D. Enforced quarantine in accordance with health regulations.
- E. Temporary disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom.
- F. To care for a child of the employee under the age of eighteen (18) with a health condition that requires treatment or supervision.

- G. For use as stated in the County's Family and Medical Leave Policy, Family Military Leave Policy and Maternity Leave Policy.

See also:

[IV.1 – Sick Leave Accrued](#)

[IV.3 – Reporting of Sick Leave](#)

[IV.9 - Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

[IV.12 – Leave Without Pay During Active Duty/Re-employment](#)

#### **IV.3 REPORTING OF SICK LEAVE**

- A. It is the responsibility of the employee to notify his/her supervisor in the event of a necessity for any absence, at least fifteen (15) minutes prior to the beginning of the work shift, or as soon thereafter as possible.
- B. The County may request a medical doctor's statement to verify that the employee was ill or injured and probable date that the employee will be physically capable of resuming the regular duties of his/her position.

See also:

[IV.1 – Sick Leave Accrued](#)

[IV.2 – Uses of Sick Leave](#)

[IV.9 - Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

#### **IV.4 INJURY ON THE JOB**

- A. No employee shall return to work from a disability injury covered by state industrial insurance until such time as he/she is found to be rehabilitated as determined in writing by a physician. If the degree of disability of an employee does not limit the ability to fully perform the activities of another position/job classification at the option of the Elected Official/Department Head, an employee may be temporarily reassigned to such job classification until fully rehabilitated to perform the regular classification assignment.
- B. Any employee injured on the job and using sick leave shall buy back such sick leave from payments made by the Department of Labor and Industries.
- C. **PROCESS FOR TIME LOSS COMPENSATION CONTINUATION:**
- Employee is injured.
  - For the first three days of time loss, the employee is paid full sick leave.
  - After the first three days, the employee may be eligible for L&I time loss payments.
  - Unfortunately, L&I may take weeks to get a check to the employee.

- Island County doesn't want injured employees to go weeks without remuneration, therefore
- Island County provides injured employees with their full pay, out of their sick leave bank, until the employee starts receiving their L&I checks.
- Once the employee receives their L&I checks, they buy back their sick leave bank by signing over the checks to Island County (or writing Island County a check for the equivalent amount).
- Then the only part of their sick leave bank that remains used is the "top up" amount of approximately 40% (L&I payments are approximately 60% of regular pay).
  - Once an employee's sick leave bank is depleted, he/she may access their annual leave, comp time, and then any additional annual leave banks as "top up" to ensure they continue to receive compensation equal to their regular pay. Employees will "buy back" sick leave, annual leave, comp time and additional annual leave used prior to receipt of their L&I checks, by reimbursing the county with those funds once the L&I checks are received.
- Under no circumstances will any employee on time-loss receive total compensation greater than their regular straight-time pay.

See also:

[IV.1 – Sick Leave Accrued](#)

#### **IV.5 VACATION LEAVE**

- A. Regular full-time and regular part-time County employees shall be credited with vacation leave on a monthly basis at 1/12 the annual rate in accordance with the following schedule:

COMPLETED YEARS OF CONTINUOUS EMPLOYMENT	HOURS ACCUMULATED PER MONTH	APPROXIMATE ANNUAL VACATION BENEFIT
0 Through 3	8.00	12 Days
4 Through 8	9.34	14 Days
9 Through 13	10.67	16 Days
14 Through 19	12.67	19 Days
20	13.34	20 Days
21 Through 30	0.67 hours for each additional year of employment	One (1) additional day for each additional year of employment
31+ years	Continue accrual at 30-year rate*	30 Days

- \* Note: The number of vacation days accruing for employees hired before January 1, 1982 are fixed at the level the particular employee has attained as of December 31, 2011, i.e., beginning January 1, 2012 those employees receiving more than 30 days vacation each year as of December 31, 2011 will not see a reduction in the number of vacation days they receive but they will not have any increase in the rate of vacation day accruals.

- \* **County contribution to employees who have worked for the County for 31+ years.**  
In appreciation of employees who have worked for Island County for 31+ years, whose vacation accrual is a maximum of 30 days per year, each year the County shall contribute \$175 for each year over 30 years worked by that employee to that employee's HRA VEBA. This annual HRA VEBA contribution shall be made at the beginning of the pay period following the employee's anniversary date. In addition, the County shall provide a cash payout to those eligible employees whose normal daily pay exceeds \$175, for an amount not to exceed the difference between \$175 and their normal daily pay.
- B. Employees shall accrue vacation benefits from date of employment for use following completion of six (6) months of continuous service with the County.
- C. Except in cases of emergency, vacation leave will be requested and approved in advance of its use.
- D. **MAXIMUM ANNUAL ACCRUAL:**
- 1) The maximum accrual level allowed is two times the employee's annual accrual rate or two hundred and forty (240) hours, whichever is greater. Employees leave balances will be at or below their maximum accrual level as of December 31 of each year. Any employee who has a leave balance in excess of their maximum accrual will have their balance reduced accordingly.
  - 2) An active employee can elect to be compensated in cash for any portion of hours in excess of 240 on a 50% basis (i.e. 2 hours of vacation equals 1 hour of pay) if he/she has taken at least eighty (80) hours of Annual Leave (not including AAL) during the current calendar year. Such a request must be submitted to Payroll on an Annual Leave Payout Form. One request allowed per year; requests must be received by the last pay date in October and will be paid on the last pay date in November.
  - 3) If, because of workload considerations, an employee requests to defer vacation and that request is approved by the Elected Official/Department Head that employee will be allowed to accrue beyond their maximum accrual limit until December 31 of the second year following the request. (For instance, if the request to defer vacation is approved in 2010 then the employee will have until December 31, 2012, to reduce the excess accrual to the maximum accumulation.) At that time, their accrual must be at or below their maximum accrual or it will be reduced accordingly. A second request to defer the use of vacation usage will not be approved until the balances of the initial request are at or below maximum accrual limits.
- E. **TERMINATION:**
- Upon resignation or termination, an employee will receive a lump sum payment for up to two-hundred-forty (240) hours of accrued but unused annual leave. Payment beyond this amount is not authorized regardless of the number of hours accumulated.
  - Voluntarily terminating employees will receive a vacation leave payout only if they provide the County with adequate (i.e. two weeks) notice of termination. Employees who abandon their jobs will forfeit their accrued leave. This does not pertain to employees who terminate employment due to valid sudden emergency (subject to HR approval).
  - Terminating employees may take vacation leave during their last month of active work. However, a terminating employee cannot continue to take leave in order to carry-over their

employment into the next month after their last day worked. This requirement does not apply to employees hired before January 1, 1982.

- F. Accrual of vacation leave is based upon an employee's paid hours but excluding overtime hours and unpaid periods.
- G. Use of vacation leave will be based upon an employee's regular weekly work schedule and will be taken on an hourly basis, except for FLSA exempt and not covered employees, as stated in Section IV.7.
- H. In the event of an approved FTE change to the employee's regular weekly schedule, the employee's accrual of vacation benefits shall be adjusted accordingly.

**I. DONATED LEAVE:**

- County employees may transfer unused vacation hours, compensatory time or other accrued leave, not including sick leave, at their rate of accrual from their own earned leave account to the account of another county employee. The recipient must be about to exhaust all paid leave accounts because they are unable to work due to serious medical condition as described by the Family Medical Leave Act (FMLA) or any other conditions that qualify for FML. Leave will be donated in increments of one (1) hour and credited to the recipient on the basis of the equivalent dollar value of credited hours. The total number of donated hours a recipient can receive shall be capped at six hundred (600) hours from all sources per illness.
- The transfer of such leave will be accomplished by preparing the Human Resources Leave Transfer form and submitting it through the donor's department head. Transferred hours will be based on the wage rate (times) X hours donated by the donor, (divided)/by the recipient's wage rate, (equals) = the hours donated to the recipient.

See also:

[I.2 – Scope of Coverage](#)

[III.6 – Holidays falling on scheduled day off](#)

[IV.1 – Sick Leave Accrued](#)

[IV.6 – Additional Annual Leave](#)

[IV.7 – Absence for less than one working day/employees not covered or exempt from overtime provisions of FLSA](#)

[IV.8 – Leaves of Absence without pay](#)

[IV.9 - Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

[IV.15 – Jury Witness Leave](#)

#### **IV.6 ADDITIONAL ANNUAL LEAVE**

In addition to the Annual Leave provided for in Section IV.5 above, each regular employee will receive four (4) days of Additional Annual Leave. Additional Annual Leave shall be scheduled in the same manner as annual vacation leave. Additional Annual Leave is to be used during the calendar year and may not be carried from year to year or otherwise accrued. Upon resignation or termination, employees will not be paid for any accrued, but unused, Additional Annual Leave.

New employees will be provided and may access 1 day per quarter Additional Annual Leave during their first calendar year.

See also:

[III.6 – Holidays falling on scheduled day off](#)

[III.7 – Unpaid Holidays for Reasons of Faith or Conscience](#)

[IV.5 – Vacation Leave](#)

[IV.9 - Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

#### **IV.7 ABSENCE FOR LESS THAN ONE WORKING DAY/EMPLOYEES NOT COVERED OR EXEMPT FROM OVERTIME PROVISIONS OF FLSA**

Employees who are not covered or exempt from the overtime provision of the Federal Fair Labor Standards Act (FLSA), may, at the discretion of the Elected Official/Department Head, have their salary or paid leave banks (sick leave, annual leave, additional annual leave) docked for an absence of less than a full working day. If the employee's appropriate leave bank is exhausted, the employee may apply for a leave of absence without pay pursuant to Section IV.8.

See also:

[IV.2 – Uses of Sick Leave](#)

[IV.3 – Reporting of Sick Leave](#)

[IV.5 – Vacation Leave](#)

[IV.6 – Additional Annual Leave](#)

[IV.9 - Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

#### **IV.8 LEAVES OF ABSENCE WITHOUT PAY**

- A. Leaves of absence may be granted at County discretion where valid reasons exist and with the prior approval of the employee's supervisor and Elected Official/Department Head. Consideration of the employee's written request for a leave of absence shall include the reason(s) for requesting the leave, the length of time desired, the workload involved, and the need for a replacement employee. -Requests for leaves of absence without pay up to thirty (30) days may be approved by the Department Head/Elected Official; absence

without pay in excess of thirty (30) days shall be forwarded to the Board of County Commissioners for their approval.

- B. Failure to report to work at the end of the approved leave time shall constitute voluntary resignation from County employment.
- C. Unpaid leaves of absence will normally not exceed six (6) months. An employee on an unpaid leave of absence status shall continue to accrue continuous service but does not accrue actual credits for purposes of salary step increase, vacation, holidays, sick leave, retirement and related benefit programs. During an unpaid leave of absence, medical insurance premiums for the medical plan shall be paid for by the employee in any month where work hours do not total 120 or more, except when employee is on Family and Medical Leave. Upon actual termination employee will be eligible for federally mandated COBRA coverage. Information on COBRA may be obtained from Human Resources.
- D. Annual leave, additional annual leave and compensatory time must be used prior to the commencement of the leave without pay unless prior written authorization is received from the Elected Official/Department Head.

See also:

[III.6 – Holidays falling on scheduled day off](#)

[III.7 – Unpaid Holidays for Reasons of Faith or Conscience](#)

[IV.9 - Family Medical Leave](#)

[IV.10 – Maternity Leave](#)

[IV.12 – Leave without Pay during Active Duty/Re-employment](#)

## **IV.9 FAMILY MEDICAL LEAVE (FMLA)**

### **A. GENERAL PROVISIONS**

Federal Family and Medical Leave (FML) is available to employees who have been employed for at least twelve (12) months and worked for at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately preceding the commencement of the leave. Leave for family and medical purposes may be granted for up to twelve (12) weeks in a 12 month period. FML is an unpaid leave of absence except when annual paid leave, additional annual paid leave, or paid sick leave is used as described hereafter. Said leave is available to eligible employees:

- (a) for birth of a child, and to care for the newborn child;
- (b) for placement with the employee of a child for adoption or foster care;
- (c) to care for the employee's spouse, son, daughter, or parent with a serious health condition;
- (d) because of a serious health condition which lasts for a period of three (3) days or more that makes the employee unable to perform the functions of the employee's job.

1. When an employee has requested leave for one of the foregoing reasons, FML will be taken concurrently with any paid leave granted.
2. When FML leave is taken because of a birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only when the Elected Official/Department Head agrees. Where FML is taken to care for a sick family member or for an employee's own serious health condition, leave may be taken intermittently or on a reduced leave schedule when certified to be medically necessary. Employees who are not covered or exempt from payment of overtime under the Fair Labor Standards Act (FLSA) may be docked for partial days worked on an intermittent or reduced leave schedule as allowed by law.
3. Employees requesting Family and Medical Leave shall submit their request, in writing, within two (2) days of becoming aware of the necessity for leave, but at least thirty (30) days prior notice for leave related to a new child and at least fourteen (14) days' notice for medical leave must be given, except in extraordinary circumstances when the necessity for leave was not foreseeable, or in case of a medical emergency due to employee's own serious health condition or to care for an eligible family member with a serious health condition.
4. Requests shall be submitted to the employee's Elected Official/Department Head. Requests for medical leave shall include a doctor's or other Health Care Provider's Certification of the medical reason for the leave and the expected duration. The Request for Family Medical Leave and Physician Certification forms shall be used and are available from the Human Resources Office. The County may require a second or third medical opinion, at County expense, by a Health Care Provider of the County's choice.
5. The Elected Official/Department Head shall forward the leave request, completed Physicians Certification Form, and statement of their recommendation for approval, disapproval and/or comments to the Human Resources Department for processing. The Human Resources Department will notify the Elected Official/Department Head and employee of final approval or disapproval in writing.
6. If an employee has accrued leave, (i.e., annual leave, additional annual leave or sick leave) the employee shall use all available paid leave first and take the remainder of the twelve week Family/Medical Leave as unpaid leave. Any such accrued paid leave shall be used at the beginning of the up to twelve (12) week Family and Medical Leave period. (Example: twelve (12) week request, employee has two (2) weeks' vacation and three (3) weeks sick leave accrued. The balance of unpaid FML authorized is seven (7) weeks). The employee shall not accrue any employee benefits during the unpaid leave period, except continuation of group health plan benefits. Employees on Family/Medical Leave shall not engage in any gainful employment or self-employment while on leave.

## **B. GROUP HEALTH PLAN BENEFITS**

1. Employee's medical, dental, and life insurance, (group health plan) will continue as before the FML, provided, the employee continues to make any applicable employee share payments to the County. Arrangements for payment should be made with the Auditor's Office. **Employee share payments are due the first of each month unless the coverage**

**is declined in writing.**

2. If an employee on FML fails to make any required employee share payments, for the employee and/or dependents, on or before the first day of the month or within the 30 day grace period, coverage will be canceled, and the employee and any otherwise covered dependents will no longer be covered during the FML period. The County is entitled, by law, to recover from the employee, using FML, the County's cost of the group health plan benefits the County has paid if the employee fails to promptly pay the employee share or terminates employment or fails to return to work after FML.
3. For purposes of meeting the hours of work or compensation requirement of the group health plan, each hour of FML that would have been worked or compensated for, if the employee had not been on FML, will be considered as an hour of work or compensation in meeting the group health plan eligibility requirements. Such FML hours will be combined with any actual hours worked, or compensated for during any month to provide an employee utilizing FML the greatest opportunity to meet the eligibility requirement of the group health plan.

**C. RETURN TO WORK**

1. An employee on Family & Medical Leave shall notify the Human Resources Department a minimum of two (2) weeks prior to their returning to work, except in extraordinary circumstances. An employee not intending to return to work shall notify the Human Resources Department immediately upon making the determination. Human Resources will immediately notify the affected Elected Official/Department Head.
2. Upon completion of the Family and Medical Leave the employee shall be reinstated to a position that is generally equivalent in content and compensation and within twenty (20) miles of the original workplace. Reinstatement of personnel considered as "Key" employees by the FML will be handled on a case by case basis as allowed by the Family and Medical Leave Act. An employee who is returning from FML for their own serious health condition must present documentation in which a Health Care Provider certifies that the employee is fully released to perform all of their essential job duties with or without reasonable accommodation.
3. The County is required to restore an employee to the employee's same or equivalent job only if the employee would have been continuously employed during the FML period. In the event the employee's job is eliminated because of a reduction in force during the FML, the employee will be provided for according to the County's policy on layoffs.

**D. SPECIAL CIRCUMSTANCES**

1. When both spouses are employees of the County and both are eligible for the Family and Medical Leave, they are allowed to take a combined total of 12 weeks of leave during any twelve month period if the leave is taken for the birth of a child, placement of an adoptive or a foster child or to care for a parent with a serious health condition. FML may not be used to care for a parent-in-law.
2. When both spouses use a portion of the total 12 week leave entitlement for one of the

purposes stated above, each would be entitled to the difference between the amount he or she has taken individually and 12 weeks of FML to care for a spouse or child, or for the employee's own serious health condition.

3. Both parents are allowed to separately take up to 12 weeks of leave to care for a child with a serious health condition.

See also:

[Resolution C-18-98: Amending Island County's Policy Regarding The Family Medical Leave Act \(FMLA\)](#)

#### **IV.10 MATERNITY LEAVE**

- A. In addition to unpaid Family Leave, Washington State law provides up to twelve (12) weeks of unpaid pregnancy disability leave to employees who have worked for an employer at least 1250 hours in the last twelve (12) months. In the case of a pregnancy, the twelve (12) weeks of Family Leave to care for a newborn is in addition to any pregnancy disability leave. Pregnancy disability leave is typically 6-8 weeks, and is determined by the employee's healthcare provider based on the individual's condition. It could include a period of time before childbirth, as well as healing time after childbirth. An employee's twelve (12) weeks of state FLA leave do not begin to run until after the period of pregnancy disability leave ends. The typical time away from work for an employee who takes both pregnancy disability leave and Family Leave is eighteen (18) weeks.
- B. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, to be considered temporary disabilities. Accrued sick leave may be used for child bearing or related circumstances in accordance with Section IV.9.
- C. If the period of disability because of childbirth or related circumstances extends beyond the employee's accrued sick leave, then, if eligible, she may continue on Family and Medical Leave. If FML Leave is elected, the employee will use accrued sick and accrued annual leave with pay and benefits and finally leave without pay until the 12 weeks of FML is exhausted as specified in Section IV.9.
- D. To be eligible for sick leave because of child bearing or related circumstances, a female employee shall give her employer two (2) weeks' notice, if possible, of her anticipated date of departure and intention to return.
- E. Women employees cannot categorically be denied the opportunity to work during the entire period of pregnancy, but may continue working as long as the individual and her physician concur in her ability to work and the demands of the job are satisfied, as judged by the Elected Official/Department Head. Proof of the physician's concurrence should be submitted at regular intervals during the employee's pregnancy, at the request of the employer.

- F. Upon return from maternity leave, an employee shall return to her same job or a similar job with at least the same pay in accordance with Section IV.9
- G. All points listed above shall apply equally to married and unmarried women.
- H. Male employees are eligible for up to twelve (12) weeks Family Leave for the birth of their child if eligible according to Section IV.9.

See also:

[IV.9 - Family Medical Leave](#)  
[V.1 – Equal Employment Opportunity Policy](#)  
[VI.12 - Supporting Nursing Mothers](#)

#### **IV.11 PAID MILITARY LEAVE**

Any employee who is a member of the National Guard or Reserve of the United States and who is ordered to active military duty for purposes of required duty, training, or drills shall be granted military leave of absence with pay for a period not to exceed twenty-one (21) working days during each year beginning October 1<sup>st</sup> and ending the following September 30<sup>th</sup>. Any days taken beyond twenty-one (21) working days must be charged as vacation leave, additional annual leave, or leave without pay. During the time the employee is on paid military leave, the employee shall receive his/her regular pay. ([RCW 38.40.060](#)).

See also:

[RCW 38.40.060: Military leave for public employees](#)  
[IV.5 – Vacation Leave](#)  
[IV.6 – Additional Annual Leave](#)  
[IV.12 – Leave without Pay during Active Duty/Re-employment](#)  
[V.1 – Equal Employment Opportunity Policy](#)

#### **IV.12 LEAVE WITHOUT PAY DURING ACTIVE DUTY/RE-EMPLOYMENT**

##### **A. EMPLOYEE’S DEPLOYMENT**

1. Regardless of full-time/part-time status, any employee who voluntarily, or upon demand, leaves a position other than a temporary position to enter upon active duty or training in the Armed Forces of the United States, the Washington National Guard, or the United States Public Health Service, shall be placed on military leave without pay and shall be entitled to be restored to employment upon return, provided he/she meets the eligibility requirements of [RCW 73.16.035](#).
2. If such person is still qualified to perform the duties of his or her former position, he or she shall be restored to that position or to a position of like seniority, status and pay. If he or she is not so qualified as a result of disability sustained during his or her service in the

uniformed services, but is nevertheless qualified to perform the duties of another Island County position, he or she shall be reemployed in such other position: PROVIDED, That such position shall provide him or her with like seniority, status, and pay, or the nearest approximation thereto consistent with the circumstances of the case.

3. Island County will not reemploy a person who was on a military leave of absence if circumstances have so changed such that reemployment would be impossible or unreasonable due to a change in the County's circumstances, or would impose an undue hardship on the County ([RCW 73.16.033](#)).
4. This section does not apply to a temporary position ([RCW 73.16.033](#)).

#### **B. EMPLOYEE'S SPOUSE'S DEPLOYMENT**

1. During a period of military conflict, an employee who is the spouse of a member of the armed forces of the United States, national guard, or reserves who has been notified of an impending call or order to active duty or has been deployed is entitled to a total of fifteen (15) days of unpaid leave per deployment after the military spouse has been notified of an impending call or order to active duty and before deployment or when the military spouse is on leave from deployment.
2. An employee who takes leave under this chapter is entitled to be restored to a position of employment and to continue benefits in the same manner as an employee under Family Medical Leave.
3. An employee who seeks to take leave under this chapter must provide Island County with notice, within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment, of the employee's intention to take leave.
4. An employee who takes Family Military Leave may elect to substitute any of the accrued leave to which they may be entitled for any part of the leave provided.

See also:

[Chapter 49.77 RCW Military Family Leave Act](#)

[Chapter 73.16 RCW Employment and Reemployment of Veterans](#)

[IV.9 - Family Medical Leave](#)

[IV.11 – Paid Military Leave](#)

[V.1 – Equal Employment Opportunity Policy](#)

[VI.8 - Reasonable Accommodation Policy for Qualified Individuals with a Disability](#)

#### **IV.13 EMPLOYEE REPLACEMENT FROM PROMOTION - MILITARY LEAVE**

An employee promoted to fill a vacancy created by a person serving in the Armed Forces shall hold such position subject to the return of the veteran. The employee affected by the return shall be restored to the position he/she held previously or any other available equivalent position.

See also:

[Chapter 73.16 RCW Employment and Reemployment of Veterans](#)  
[IV.12 – Leave without Pay during Active Duty/Re-employment](#)  
[IV.14 – Employee Replacement from New Hire – Military Leave](#)

#### **IV.14 EMPLOYEE REPLACEMENT FROM NEW HIRE—MILITARY LEAVE**

A new employee hired to fill a vacancy created by a person serving in the Armed Forces shall hold such position subject to the return of the veteran. The employee affected by the return shall be placed in as nearly equal a vacant position as may exist, or if no such position exists, the employee may be subject to layoff.

See also:

[Chapter 73.16 RCW Employment and Reemployment of Veterans](#)  
[IV.12 – Leave without Pay during Active Duty/Re-employment](#)  
[IV.13 – Employee Replacement from Promotion – Military Leave](#)

#### **IV.15 JURY/WITNESS LEAVE**

Any employee who is called for district, superior, municipal, or federal court jury duty or subpoenaed as a witness in matters pertaining to the employee's official duties shall receive from the County his/her regular rate of pay for the actual time he/she is required to be absent from work because of such jury duty or subpoena. Any such absence shall not be counted as sick leave or annual leave. Provided an employee is called for such civil duty, and if dismissed from such duty, the employee shall report to work as directed by the Elected Official/Department Head. Any compensation for such duty, other than reimbursed expenses, shall be paid to the County by the employee.

See also:

[IV.1 – Sick Leave Accrued](#)  
[IV.5 – Vacation Leave](#)

#### **IV.16 BEREAVEMENT LEAVE**

In the event of a death in any employee's immediate family, the employee shall be eligible for not more than five (5) working days or not more than forty (40) working hours of leave with pay to attend to personal matters. An employee is eligible for a one-half (1/2) day of bereavement leave with pay to attend a non-immediate family funeral, subject to the approval of the Elected Official/Department Head. Bereavement leave may be extended by the use of accrued vacation time with approval of the Elected Official/Department Head.

See also:

[I.7 – Definitions of Terms \(see “immediate family”\)](#)

## **V. RECRUITMENT**

### **V.1 EQUAL EMPLOYMENT OPPORTUNITY POLICY**

It is the policy of Island County to provide equal opportunity for all applicants for employment and Island County does not discriminate on the basis of political affiliation, age (40 or over), sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification: PROVIDED, that the prohibition against discrimination because of such disability shall not apply if the particular disability prevents the proper performance of the particular work involved. To ensure that the County has the most efficient employee recruitment, election and appointment procedures possible, discriminatory practices in any form cannot be condoned. The full cooperation of each Elected Official/Department Head, supervisor and employee is necessary to make certain that Island County remains in fact, as well as policy, an equal opportunity employer.

See also:

[V.2 – Implementation of EEO](#)

[V.3 – Recruitment and Selection Policy](#)

### **V.2 IMPLEMENTATION OF EEO**

Employment opportunities are and shall be opened to all qualified applicants solely on the basis of their experience, education, aptitudes and abilities. To accomplish these objectives:

- A. All advertising for employees shall include the statement, “An Equal Opportunity Employer” and shall be posted or distributed to County offices to inform and attract qualified candidates.
- B. Public and private employment offices used by the County will be advised of our Equal Employment policy.
- C. Promotional opportunities will be made available to all qualified employees by (1) briefing supervisors at all levels of management to ensure utilization of qualified personnel at all job levels, and (2) reviewing the qualifications of all candidates for promotions from within, in light of job-related criteria.
- D. All training and educational programs conducted on the job will be reviewed periodically to be certain that all personnel are given equal opportunity to participate in these programs.
- E. Personnel actions will be made in compliance with the County’s Equal Employment Opportunity Policy.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

[V.3 – Recruitment and Selection Policy](#)

### **V.3 RECRUITMENT AND SELECTION POLICY**

Recruitment and selection of employees shall be based on the relative ability, knowledge and skills required to perform a given position or class of positions. Recruitment efforts shall be directed toward the encouragement and consideration of qualified applicants for initial employment. The procedure for recruiting and selecting applicants for employment shall be in a manner prescribed by the Board of County Commissioners to ensure compliance with Equal Opportunity Employment policy.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

[V.2 – Implementation of EEO](#)

[V.4 – Recruitment Announcements](#)

### **V.4 RECRUITMENT ANNOUNCEMENTS**

All job notices and advertisements will be prepared and posted by the Human Resources Department for any position vacancies. The following information shall be included in the job vacancy notice:

- A. Title of position.
- B. Brief description of job.
- C. Specific qualifications.
- D. Where to apply.
- E. Salary.
- F. Closing date for application.
- G. Island County is an Equal Opportunity Employer.

The statement “Equal Opportunity Employer” shall be included in all employment advertising.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

<b>V.5</b>	<b>JOB REQUISITIONS AND PERSONNEL STATUS CHANGE FORMS</b>
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**A. JOB REQUISITIONS**

1. Normally, all requests for new hires, reclassification, new positions, replacements or other position actions will be discussed, reviewed and approved by the Board of County Commissioners as per RCW 36.32.120 at the Human Resources staff session.
2. Elected Officials who wish to replace a budget-approved position after retirement or termination of an incumbent may post and advertise such replacement position prior to bringing it to the Board of County Commissioners for approval, but cannot hire a replacement for the position until such approval is received.
3. The method and process of hiring, setting of salaries and other personnel actions pertaining to appointed Department Heads shall be at the discretion of the Board of County Commissioners, except as provided in Federal and State Laws.
4. When a department has a position opening the following shall be completed, in the order given, by the Elected Official/Department Head.
  - a) Obtain a **Job Requisition form** from the Human Resources Department.
  - b) If a change in pay grade is requested and HR is unable to price the job using comparable internal positions, obtain a Position Analysis Questionnaire (PAQ) from the Human Resources Department.
  - c) Submit the completed Job Requisition form, and PAQ, if required, to the Human Resources Department to review for compliance with EEOC, ADA, and FLSA.
  - d) The Human Resources Department will write a Summary Job Description from the information given on the PAQ and review with the Elected Official/Department Head.
  - e) The Job Requisition form will then be signed as approved by the Human Resources Department and forwarded to the Budget Director's office.
  - f) The Budget Director will complete his/her section and return to the Human Resources Department.
  - g) The Human Resources Department will request Board of County Commissioners review, as required, and notify initiating Elected Official/Department Head of the date and time of the staff session.

- h) After approval by the Board of County Commissioners, the Human Resources Department will post and/or advertise, whichever is appropriate. The Civil Service Commission will proceed with posting/advertising for classified Sheriff's office positions. The Sheriff need not post or advertise for unclassified positions allowed under RCW 41.14.070. In the case of an Elected Official's Chief Deputy, posting and/or advertising may not be required but a Job Requisition will be completed and approved prior to the appointment of a Chief Deputy.
- 5. Applications in response to posting/advertisements will be handled as follows:
  - a) All prospective applicants will be directed to Island County's Applicant Online website. No other application forms will be considered.
  - b) The Human Resources Department will forward the completed application forms, along with any resumes, and required Information Release form, when submitted, to the initiating department. The Human Resources Department will not screen applications for minimum qualifications, unless asked to do so by the Elected Official/Department Head.

## **B. PERSONNEL STATUS CHANGE FORMS**

- 1. After a hiring decision is made, the Personnel Status Change (PSC) form shall be completed and forwarded to the Human Resources Department for processing. New hires must make an appointment for employee orientation with HR.
- 2. Either the Elected Official/Department Head or the Human Resources Department shall send notification letters to unsuccessful applicants, with the exception of the Sheriff's Civil Service applicants. The Human Resources Department will coordinate with the Elected Official/Department Head in this regard.
- 3. All new hire or rehire actions, salary authorizations, pay changes, transfers, promotions, demotions, lay-offs and terminations must be documented with a PSC form for the official personnel file.

See also:

[RCW 36.32.120](#)

<b>V.6 MEDICAL EXAMINATION</b>
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- A. Any job applicant or employee may be required to take a medical examination prior to placement if there is a bona fide job qualification that requires it. Where a medical examination is required, the applicant must first be conditionally offered appointment subject to successfully passing the medical examination and upon successfully passing the medical examination shall be appointed.
- B. Current employees may be required to submit and pass a job related medical examination consistent with business necessity.

- C. In cases where a medical examination is required, the County shall pay the cost and the applicant must successfully pass such examination to be considered fit for employment. The County will comply with the Americans with Disabilities Act (ADA) with regard to medical examinations.

See also:

[V.1 – Equal Employment Opportunity Policy](#)

[VI.8 – Reasonable Accommodation Policy for Qualified Individuals with a Disability](#)

## **V.7 ORAL OR WRITTEN EXAMINATION**

Oral or written examinations may be used as a basis for evaluating applicants for a position or class of positions. The format and content of these examinations shall be selected by the Elected Official/Department Head and shall reflect the skills and knowledge to perform the work of a given position or class of positions. Examinations shall be based on the actual requirements of the work to be performed.

# **VI. EMPLOYMENT**

## **VI.1 WORKWEEK**

- A. The normal full-time workweek shall be:
1. 35 to 40 hours exclusive of the lunch period.
  2. The workweek shall be designated by the Elected Official/ Department Head and shall be placed in the employee's personnel file.
- B. Part-time work schedules shall be established as may be necessary.
- C. Hours of work shall be directed by the Elected Official/Department Head. Reports shall be submitted of overtime hours worked. In addition, the supervisor may occasionally authorize an overtime work schedule if in so doing the efficiency of a work unit will be enhanced and budgeting provisions have been made.
- D. Employees who are not covered or exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and the Washington State Minimum Wage Act will be required to work as many hours as necessary to fulfill their duties, as determined by the Elected Official/Department Head.

## **VI.2 REST PERIODS**

### **A. REST BREAKS**

1. Rest breaks are paid.

2. No employee is required to work more than three (3) hours without a rest break.
3. Employees will receive one rest break of at least ten (10) minutes for each 4 hours worked (for example, an 8 or 9 hour shift requires 2 rest breaks while a 12 hour shift requires 3 rest breaks, etc.)
4. Where the nature of the work allows an employee to take intermittent rest breaks equivalent to at least ten (10) minutes for each 4 hours worked, scheduled rest breaks are not required.
5. Scheduled rest breaks shall be as near as possible to the midpoint of the work period (for example, if an employee works from 8 a.m. – 12 p.m. and 1 p.m. – 5 p.m., the employee's scheduled rest breaks should occur as near as possible to 10 a.m. and 3 p.m.)

#### **B. MEAL PERIODS**

1. Employees receive one 30 minute unpaid meal period for each 5 hours worked. Meal periods may be paid as determined on a case-by-case basis if the employee is expected to perform or be available for work during their meal.
2. Meal periods must be taken between the second and fifth working hour (for example, an employee working 8 a.m. – 5 p.m. must have a meal period no earlier than 10 a.m. and no later than 1 p.m.)
3. No employee is required to work more than 5 consecutive hours without a meal period.
4. Employees who work at least 3 hours longer than they are regularly scheduled to work will receive at least one additional 30 minute meal period prior to or during the overtime period.

Upon approval of their Elected Official or Department Head, employees may combine their rest periods with their 30-minute lunch period to extend their lunch break.

See also:

[WAC 296-126-092](#)

### **VI.3 BUSINESS OFFICE HOURS**

#### **A. NORMAL OFFICE HOURS**

1. All County offices shall be kept open for the transaction of business during such days and hours as adopted by resolution of the Board of County Commissioners. The courts shall always be open, except on nonjudicial days, for such days and hours as directed by order or directive of the Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court. County offices and the courts shall not close during the lunch period, from 12:00 noon until 1:00 p.m., unless prior authorization has been obtained by the Board of County Commissioners, in the case of County offices, or the Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court, in the case of the courts.
2. There may be occasions wherein departments or the courts may need to modify their business hours to temporarily accommodate special circumstances. In these instances, prior authorization will be obtained from the Board of County Commissioners, in the case

of County departments, or the Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court, in the case of the courts, and adequate steps will be taken to provide advance notice to the public.

3. Offices staffed by fewer than four people may need to establish alternate business hours due to staffing coverage exigencies.

**B. CLOSURE OF COUNTY FACILITIES DUE TO UNUSUAL CIRCUMSTANCES**

1. It is the policy of the County to maintain hours of operation which make the best use of people and resources in serving the needs of the public. During times of inclement weather, natural disaster or other emergency conditions, it is essential that the County continue to provide vital Public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering their personal safety.
2. Inclement weather conditions or other unusual situations may from time to time necessitate the closure of County facilities to the public. Closure of facilities shall be at the discretion of the Board of County Commissioners. County facilities closed to the public shall normally remain open to employees for work purposes unless an emergency closing of County facilities to employees is declared by the Board of County Commissioners.
3. The Chair of the Board of County Commissioners may close County facilities for up to 24 hours if a quorum of the Board is not available. The Board of Commissioners may designate a member of the Board to act as the Chair's alternate in this capacity when the Chair is unavailable to fulfill this duty.
4. The Presiding Judges of Island County Superior and District Courts or other judges so designated by the affected court will make the decision to close court in accordance with General Court Rule 21(a) and the courts' own departmental policies and procedures.

**C. EMPLOYEE ABSENCES DUE TO INCLEMENT WEATHER OR AN EMERGENCY CLOSING OF COUNTY FACILITIES TO EMPLOYEES**

1. A department head or elected official may authorize an individual employee's use of accrued annual leave, additional annual leave, accrued compensatory time or leave-without-pay for time off during inclement weather if it accommodates the special need or circumstances of the employee and does not unduly disrupt department operations.
2. Authorized absences due to an emergency closure of County facilities by the Board may be covered by accrued annual leave, additional annual leave, accrued compensatory time, or leave-without-pay.
3. Employees shall report their absence in compliance with established procedures, and any policies for reporting time under labor agreements are applicable.

#### **VI.4 EMPLOYMENT OF RELATIVES**

No spouse, dependent child, or other person financially dependent upon a member of the Board of County Commissioners may be employed by any County official or department. No spouse or person financially dependent upon any other Elected Official/Department Head may be employed by that Elected Official/Department Head.

#### **VI.5 PERSONNEL RECORDS**

- A. Personnel records and medical files shall be physically located in either the office of the Director of Human Resources or in the office of the respective Elected Official. In departments headed by a Department Head, such records shall be physically located in the office of Human Resources. The Director of Human Resources or the Elected Official shall be responsible for the confidentiality of these records.
- B. All personnel records shall show the employee's name, title or position held, the department to which assigned, salary, change in employment status, FLSA status, training received, and such other information as may be considered pertinent. A separate medical file shall be kept for each employee.

#### **VI.6 RELEASE OF EMPLOYEE INFORMATION**

- A. It is the policy of the County to consider an employee's address, telephone number, personal email address and similar information as personal and confidential. Consequently, such information shall not be released to any individual or organization other than the employee's immediate Supervisor/Elected Official/Department Head unless authorized by the employee in writing or required by law.
- B. Written requests for the release of information shall be used when information is requested about an employee or former employee. This includes requests by the employee for release of personal information to particular persons or agencies. Without a written waiver and release signed by the employee or former employee the only information that will be released is the position held, the period of employment, and pay rate. No blanket waivers are allowed. A Release of Information form may be obtained from the Human Resources Department.

A copy of the request for confidential information verified as valid by the employee shall be filed in the employee's permanent personnel record.

<b>VI.7      REPORTING IMPROPER GOVERNMENT ACTION—EMPLOYEE PROTECTION AGAINST RETALIATION</b>
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**A.      POLICY STATEMENT**

It is the policy of Island County (1) to encourage reporting by its employees of improper governmental action taken by Island County officers or employees and (2) to protect Island County employees who have reported improper governmental actions in accordance with Island County's policies and procedures.

**B.      DEFINITIONS**

As used in this policy, the following terms shall have the meanings indicated:

1. "Improper governmental action" means any action by an Island County officer or employee:
  - a. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
  - b. That (i) is in violation of any federal, state, or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is a gross waste of public funds.

"Improper governmental action" does not include personnel actions, including, but not limited to, employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.

2. "Retaliatory action" "Retaliatory action" means:
  - c. Any adverse change in an Island County employee's employment status, or the terms and conditions of employment, including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or
  - d. Hostile actions taken by another employee towards an Island County employee that were encouraged by a supervisor or senior manager or official.

3. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

**C.      PROCEDURES FOR REPORTING**

1. Island County employees who become aware of improper governmental actions should raise the issue first with their supervisor. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with his or her Department Head, the Chairman of the Board of Island County Commissioners, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chairman of the Board of Island County Commissioners to receive reports of improper governmental action. The employee shall submit a written report to whichever of the above-listed persons the employee raised the issue, stating in detail the basis for the employee's belief that an improper governmental action has occurred.
2. In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.
3. The supervisor, the Department Head, the Chairman of the Board of Island County Commissioners, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chairman of the Board of Island County Commissioners, shall take prompt action to assist Island County in properly investigating the report of improper governmental action. Island County officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.
4. Island County employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the Island County employee reasonably believes that an adequate investigation was not undertaken by Island County to determine whether an improper governmental action occurred, or that insufficient action has been taken by Island County to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.
5. In order to preserve the integrity of any investigation, no employee will make reports of improper governmental action except as provided in this policy.
6. Island County employees who fail to make a good-faith attempt to follow Island County's procedures in reporting improper governmental action shall not receive the protections provided by Island County in these procedures.

#### **D. PROTECTION AGAINST RETALIATORY ACTION**

1. Island County officials and employees are prohibited from taking retaliatory action against an Island County employee because he/she has in good faith reported an improper governmental action in accordance with these policies and procedures.

2. An Island County official and employee may not use his/her official authority or influence, directly or indirectly, to threaten, intimidate, or coerce an employee for the purpose of interfering with that employee's right to disclose information concerning an improper governmental action in accordance with the provisions of this policy.
3. Nothing in this policy authorizes an individual to disclose information prohibited by law.
4. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, their Department Head, the chairman of the Board of Island County Commissioners, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chairman of the Board of Island County Commissioners. Island County officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.
5. If the employee's supervisor, the Department Head, the Chairman of the Board of Island County Commissioners, the Island County Human Resources Director, the Island County Prosecuting Attorney, or such other person as may be designated by the Chairman of the Board of Island County Commissioners, as the case may be, does not satisfactorily resolve an Island County employee's complaint that he or she has been retaliated against in violation of this policy, the Island County employee may obtain protection under this policy and pursuant to state law by providing a written notice to the Board of Island County Commissioners which:
  - a. Specifies the alleged retaliatory action, and
  - b. Specifies the relief requested.
6. Island County employees shall provide a copy of their written charge to the Chairman of the Board of Island County Commissioners no later than thirty (30) days after the occurrence of the alleged retaliatory action. The Board of County Commissioners shall respond within thirty (30) days to the charge of retaliatory action.
7. After receiving either the response of Island County or thirty (30) days after the delivery of the charge to the Chairman of the Board of Island County Commissioners, the Island County employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the Chairman of the Board of Island County Commissioners within the earlier of either fifteen (15) days of delivery of Island County's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to Island County for response.
8. Upon receipt of request for hearing, Island County shall apply within five (5) working days to the State Office of Administrative Hearing for an adjudicative proceeding before an administrative law judge.
9. Island County will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.

**E. RESPONSIBILITIES**

1. The Island County Human Resources Director is responsible for implementing Island County's policies and procedures (1) for reporting improper governmental action and (2) for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures (1) are permanently posted where all employees will have reasonable access to them, (2) are made available to any employee upon request and (3) are provided to all newly-hired employees. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.
2. Employees having questions about agencies responsible for enforcing federal, state and local laws and investigating other issues involving improper governmental action, or the procedures for reporting improper governmental action are encouraged to contact the Island County Human Resources.

See also:

Resolution C-52-94: Establishing Policy Regarding Reporting Improper Government Action And Protecting Employees Against Retaliation

<b>VI.8 REASONABLE ACCOMMODATION POLICY AND GRIEVANCE PROCEDURE FOR QUALIFIED INDIVIDUALS WITH A DISABILITY</b>
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It is the policy of Island County to provide reasonable accommodations to qualified job applicants and qualified employees with disabilities, unless doing so would result in undue hardship to the county. To this end all decisions relating to employment including, but not limited to recruitment, selection, training, assignment, promotion, compensation, transfer, benefits, and education will be determined based upon the applicant's or employee's ability with consideration of any requested reasonable accommodation for qualified individuals with a disability. This Policy is applicable to all employment policies and practices. This Policy is not intended to expand the protection of qualified individuals with disabilities beyond applicable federal and/or state law. In the event of any conflict between this policy and federal or state law, the federal or state law shall govern.

**A. DEFINITION OF REASONABLE ACCOMMODATION:**

1. Reasonable accommodation may include, but is not limited to, an adjustment to job duties, performance methods, and/or work setting or service delivery to meet the individualized need of an applicant or employee with a disability.
2. The provision of a reasonable accommodation removes barriers in a specific situation, which prevent or limit the application process, recruitment, employment and upward mobility of a qualified person with a disability or prevents their participation in a program, activity or event.

**B. EXAMPLES OF REASONABLE ACCOMMODATION ARE:**

- Making facilities readily accessible and usable by individuals with a disability;
- Job restructuring;
- Modifying work schedules;
- Implementing flexible leave policies;
- Reassigning to a vacant position;

- Providing assistive equipment at County programs;
- Modifying test, training materials and policies; or
- Providing qualified readers or interpreters.

#### **C. SCOPE AND PURPOSE**

1. Scope: This Policy provides guidance and the procedure through which qualified individuals with a disability may request reasonable accommodation; and the manner in which county elected officials and department heads should consider and review those requests.
2. Purpose: This Policy is intended to assist qualified applicants for employment who have disabilities and current qualified employees with disabilities in requesting accommodation and elected officials and department heads in processing reasonable accommodation requests. It covers the following:
  - Applicable Definitions
  - Guidelines for filing a Request for Reasonable Accommodation
  - Guidelines for considering and evaluating a Request of Reasonable Accommodation

#### **D. DEFINITIONS:** As used in this policy, the following terms have the indicated meaning in relation to the American with Disabilities Act (ADA) and the Washington Law Against Discrimination (WLAD).

- “Disability” means "the presence of a sensory, mental, or physical impairment that: (1) is medically cognizable or diagnosable; or (2) exists as a record or history; or (3) is perceived to exist whether or not it exists in fact." A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job.
- "Impairment" includes, but is not limited to: (1) any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, heronic and lymphatic, skin, and endocrine; or (2) any mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- A “qualified individual with a disability” means an individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the employment position and who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- “Reasonable accommodation” means modifications or adjustments: (1) to a job application process that enable a qualified applicant with a disability to be considered for the position; (2) to the work environment, or to the manner or

circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; and (3) that enable a current employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities.

- “Undue hardship” means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include but are not limited to: (1) the nature and cost of the accommodation; (2) the overall financial resources of the county office or department in which the reasonable accommodation is to be made; (3) the number of persons employed at that office or department; (4) the effect on expenses and resources or other impact upon that office or department; (5) the overall financial resources of the County; (6) the overall number of employees, offices and departments; (7) the operations of the particular office or department as well as the entire County; and (8) the relationship of the particular office or department to the County. This is not an exhaustive list but merely examples.
- “Essential functions” means the fundamental job duties of the employment position the individual with a disability holds or desires. The term “essential functions” does not include the marginal functions of the position.

#### **E. FILING A REQUEST FOR REASONABLE ACCOMMODATION**

1. Any applicant for employment or current employee may request reasonable accommodation as an individual with a disability. The applicable county office or department shall provide persons requesting accommodation a Reasonable Accommodation Request Form. It is the responsibility of the requester to complete the form in full and submit it to the appropriate elected official or department head.

1.1 Individuals may seek and elected officials/department heads may approve a reasonable accommodation on an informal basis. A formal request would follow if the informal request was either rejected or could not be properly processed.

1.2 Although the responsibility for requesting the reasonable accommodation rests primarily with the applicant or employee, the Human Resources Department is available as a resource to applicants, employees and elected officials/department heads in the preparation, explanation, and dissemination of reasonable accommodation information or technical assistance.

2. All requests for accommodation must indicate the following:

2.1 Name, address, and telephone number of the person requesting accommodation.

2.2 The specific disability limitation, the type of accommodation requested, with an explanation of how the accommodation will allow: (a) an applicant to be considered for the position; and/or (b) an applicant or current employee to perform the essential functions of the position; and/or (c) a current employee to enjoy equal

benefits and privileges as other non-disabled employees.

2.3 Verification of the disability by the requester's physician, medical provider or vocational/rehabilitation counselor may be required. (If medical verification is required the person requesting accommodation must sign a release form Authorization for the Release of Medical Information.)

## **F. REVIEW OF REQUESTS FOR REASONABLE ACCOMMODATION**

1. Confidentiality of Medical Information: Applications for reasonable accommodation and related material shall be placed in a medical file separate from general personnel records and be treated as a confidential medical record by the elected official/department head and Human Resources Director, except on a need-to-know basis:

- Supervisors and managers may be informed regarding the necessary restrictions on the work or duties of the employee and necessary accommodations;
- First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
- Government officials investigating compliance shall be provided relevant information.

2. Because of the personal nature of some disability issues every reasonable effort should be taken to ensure confidentiality during the entire review process.

2.1 The determination whether to provide an accommodation is made on a case-by-case basis. This is an individual process through which the elected official/department head and the individual with a disability, with the assistance of Human Resources, discuss and arrange for the necessary and reasonable adjustments or modifications. If the request involves a Workers Compensation issue, the assistance of Risk Management will be obtained. The elected official/department head must make a reasonable effort to determine the appropriate accommodation. Primary consideration should be given to the preferences of the individual when deciding on an accommodation, however, the elected official/department head has the ultimate discretion to choose between effective accommodations.

2.2 A qualified individual with a disability is not required to accept an offered accommodation. However, if such an individual rejects a reasonable accommodation necessary to enable the individual to perform the essential functions of the job position, the individual will not be considered a qualified individual with a disability.

3. In considering a request for accommodation an elected official/department head, or his or her designated supervisor/manager, will complete the applicable portion of the Reasonable Accommodation Request Review Form. The following factors must be considered when reviewing a request for accommodation:

3.1 Analyze the job or activity to determine the essential functions.

- 3.2 In consultation (interactive discussion) with the employee or applicant, find out his or her physical or mental abilities and limitations as they relate to performance of the job's essential functions.
- 3.3 The elected official/department head determines if the individual has a disability covered by the ADA/WLAD, and whether the individual is qualified with or without a reasonable accommodation.
- 3.4 The elected official/department head makes an individualized determination, based upon objective medical or other evidence, of whether a person with a disability poses a direct threat of harm to that individual or others and whether the threat may be removed by a reasonable accommodation.
- 3.5 The elected official/department head identify potential accommodations. The elected official/department head shall consult with Risk Management when dealing with accommodation issues involving injured workers and workers compensation claims. Other experts may be consulted as the elected official/department head deems necessary on accommodating individuals with disabilities.
- 3.6 If more than one accommodation would be effective, the individual's preference should be considered, but the elected official/department head may choose one that is less expensive or easier to provide.
- 3.7 The elected official/department head should consider, on a case-by-case basis, whether a reasonable accommodation would impose an undue hardship on that office/department and the county. If a particular accommodation would impose an undue hardship, it is not required, but the elected official/department head should consider whether an alternative accommodation would not impose a hardship.
- 3.8 If a reasonable accommodation is available, the elected official/department head selects it and reasonably accommodates the individual.
4. If the request is approved, the department will notify the requester and make the necessary implementation arrangements. Before the request is denied, the elected official/department head will consult with the Human Resources Director.
5. The review process concluding with the approval or denial should ordinarily be completed in fifteen (15) working days from the date when the request and all supporting information have been furnished to the elected official/department head, unless the requester and the elected official/department head agree to an extension of time.
6. If an elected official/department head reviews and approves the request for accommodation, it shall provide the accommodation without undue delay.

**G. APPLICATIONS AND FORMS**

See Human Resources for related applications and forms

See also:

Resolution C-08-08 Amending the Policy Regarding Reasonable Accommodation Policy for Qualified Individuals with a Disability

## **VI.9 DISCRIMINATION AND HARASSMENT PROHIBITED IN THE WORKPLACE**

Discrimination, unless based upon a bona fide occupational qualification or a business necessity, or harassment of an employee or a member of the public on the basis of race, creed, color, national origin, age (for those 40 years of age or older), honorably discharged veteran or military status, sex, marital status, sexual orientation, or the presence of a physical, sensory or mental disability or the use of a trained dog guide or service animal by a person with a disability is a violation of Island County policy. Prohibited harassment includes comments, slurs, jokes, innuendos, cartoons, pranks, physical harassment, etc., which are derogatory on the basis of the protected class membership of the employee or member of the public. Harassment also includes negative actions based upon an employee's participation in activities identified with or promoting the interests of a protected group. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. An employee has the right to use a language other than English for discussions that are not related to official county business and for discussions during breaks, lunches, etc. and to adhere to cultural and ethnic customs, without being subjected to harassment.

Employees have the right to be free from such discrimination or harassment on the job, whether from co-workers, supervisors, managers, or non-employees. Discrimination and harassment is prohibited by state and federal anti-discrimination laws where (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. All employees are prohibited from engaging in or permitting or tolerating discrimination or harassment of any employee or member of the public in the workplace.

It is the policy of Island County that intimate relationships between supervisory and subordinate employees of the same sex or of different sexes are prohibited.

### **A. GRIEVANCE PROCEDURE**

1. Any employee who believes that he or she is being discriminated against or harassed by co-workers, supervisors, or non-employees in the workplace in violation of this policy should notify his or her supervisor, department head, or the human resources director. If the complaint is made to an employee's supervisor, the department head and the human resources director shall both be notified that a complaint was made. If the complaint is made to an employee's department head, the human resources director shall be notified that a complaint was made. The human resources director shall notify the county risk manager that a complaint has been filed.
2. No employee will be retaliated against in any way for complaining of discrimination or harassment. Nor will any witness be retaliated against in any way for providing

information pertaining to a complaint or investigation of discrimination or harassment. Retaliation against either a complainant or a witness will be grounds for discipline, including possible termination of the employee.

3. Each complaint must include as many details as possible concerning the behavior at issue and its context, including the names of other persons who may have been present or who may have observed interactions between the complainant, the accused employee, and other employees. The complainant shall be advised that the person(s) conducting the interview may question such persons regarding material information they might have.

## **B. INVESTIGATION OF COMPLAINTS**

1. When a supervisor, department head, or the human resources director is notified of alleged discrimination or harassment, the human resources director shall promptly notify the prosecuting attorney and the human resources director will promptly and thoroughly investigate the complaint. Whenever possible, the investigation will be conducted by two (2) investigators. The investigator(s) shall attempt to obtain a written statement or complaint from the complainant. The complainant is expected to cooperate with the investigating parties. The investigation will include interviews with the directly involved parties and, where necessary, employees who may have observed the alleged discrimination or harassment or who may be similarly situated with the complaining employee (and therefore may be able to testify to their experiences with the accused employee), and the collection of any exhibits.
2. The investigating party will document the specifics of all discrimination or harassment claims, the details of the investigation, and the nature of the corrective action taken, or lack of action with an explanation.

## **C. DISCIPLINARY ACTION**

1. If the investigation shows that the accused employee did engage in discrimination or harassment, the accused employee's department head will be informed of that fact. The department head will take appropriate action, which may include a verbal and/or written reprimand, a letter in the employee's file, an employee transfer, suspension or termination of the employee. If the employee is not terminated, the department head shall issue him or her a warning that any continued discrimination or harassment might result in a negative employment action, such as suspension or termination.
2. A summary of the results of the investigation shall be forwarded to the complainant.
3. Where the complaint cannot be substantiated, a general warning shall be made to all employees involved regarding the possible ramifications of substantiated discrimination or harassment complaints.
4. In all instances, the complaint and investigation will be handled in a confidential manner, to the extent permitted by law. The complainant shall be informed that the information the complainant provides shall not be revealed, except as is necessary to investigate the complaint or as required by law. **Provided**, that an employee who reported discrimination or harassment and/or an employee who was allegedly affected by discrimination or harassment may request that the county provide information to another person regarding

the investigation. On a case-by-case basis, the county, in its own discretion, may agree to release specified information. **Provided further**, that whenever the county would provide general information from the county's personnel file of an employee or former employee to persons who are not officers or employees of the county, and the employee's personnel file reflects a finding of reasonable cause for disciplinary action, the county may, with the employee's written consent, pursuant to the policy on providing information to prospective future employers of former Island County employees (see August 20, 1991, memorandum from Board of County Commissioners to all Island County elected and appointed department heads), also send information regarding the investigation of discrimination or harassment; **except** that no readily identifiable reference to other parties involved may be included, and any statement which the employee had requested be held in the file will accompany the disclosure.

5. The human resources department and the department head of the accused employee will retain confidential documentation of all records relating to discrimination or harassment in a sealed file. There will be a cross-reference to the sealed file of the complainant and of the accused employee. Records relating to sexual discrimination or harassment will be retained by the county for a minimum of six (6) years.
6. This policy will be distributed to all current employees and to new employees during orientation.
7. The human resources department shall be responsible for educating and training all county employees about the existence of this policy, the grievance procedure, investigation of complaints, and possible disciplinary action. Copies of this policy shall be posted in conspicuous places in the offices of each department.

See also:

Resolution C-09-08 Amendment of the Island County Policy Prohibiting Discrimination and Harassment in the Workplace

## **VI.10 EMPLOYEE OF THE MONTH PROGRAM**

The Employee-of-the-Month Program recognizes one Island County employee each month. Any employee may be nominated by another employee or by a member of the public for this award. Nominations should be made in writing with an explanation as to what the employee has done that merits them Employee of the Month status. Nominations for the award may be submitted by anyone using the Employee of the Month Nomination form, available from the company's intranet forms database or from Human Resources. Nominations are based on

- a. Initiative
- b. Reliability
- c. Teamwork

- d. Service to Citizens
- e. Going Above and Beyond Normal Duties

Completed nomination forms may be submitted electronically or in hard copy to Human Resources starting the 20th of each month until the last working day of the month for that month's award. During the first week of the following month, the Employee-of-the-Month Selection Committee, a cross-section of Island County employees selected by Human Resources, meets to review the nominations and to select the Employee of the Month. The Human Resources office announces the selection and the award is presented at the Board of Commissioners meeting scheduled for the second Monday of the month.

The selected employee of the month will receive use of a reserved parking space for the month and an Island County t-shirt.

If you have questions or need assistance with this policy, you are encouraged to check with your immediate supervisor or Human Resources.

See also:

Resolution C-96-08 Employee of the Month Program

## **VI.11 ANIMALS PROHIBITED IN COUNTY FACILITIES--EXCEPTIONS**

Animals are prohibited from being inside every Island County government building, whether owned, leased, or rented by the county, and within ten (10) feet of any entrance to such buildings, except as follows:

- A. A "dog guide" or "service animal," as defined in [RCW 70.84.020](#) and [RCW 70.84.021](#), for a totally or partially blind, hearing impaired, or otherwise physically disabled person allowed in county buildings under the provisions of [Chapter 70.84 RCW](#);
- B. Animals housed in or taken to Island County Animal Shelters;
- C. Animals participating in authorized activities at the Island County Fairgrounds; and
- D. Animals used by law enforcement authorities for law enforcement activities.

See also:

[Island County Code Chapter 1.24.040 Animals Prohibited in County Facilities - Exceptions](#)  
[RCW 70.84.020 "Dog Guide" Defined](#)  
[Chapter 70.84 RCW "White Cane Law"](#)

## **VI.12 SUPPORTING NURSING MOTHERS**

Island County recognizes the many benefits associated with breastfeeding to promote optimum growth and development of infants, and that more women are electing to continue breastfeeding after returning to work. Island County is committed to supporting breastfeeding mothers in order to help them make the transition back to work easier, and encourages employees and management

to have a positive, accepting attitude toward working women who choose to nurse their infant after returning to work.

Public Health's WIC department, 240-5554, is available to provide support and educational information to breastfeeding employees.

**A. LACTATION TIME:**

1. The County encourages managers and supervisors to allow for a flexible work schedule for nursing mothers. The County understands that on average nursing mothers will need to express milk two to three times in an eight hour shift. Most nursing mothers typically require reasonable breaks (i.e. 15 to 30 minutes duration) to express milk. These breaks should normally coincide with the employee's regularly scheduled break with brief extensions as needed. An employee needing break time to express milk should engage in a discussion with her supervisor to determine the appropriate location and the estimated number and duration of breaks.
2. **Flexible Work Schedule** - employees may request a flexible work schedule subject to approval by the manager or supervisor. The lunch hour may be modified or the beginning and/or ending of the work day may be adjusted to accommodate longer breaks to ensure a full work day.
3. **Use of Paid Leave** – to cover the extra time needed, employees may use their annual leave, additional annual leave or comp time, or use unpaid time if accrued leave time is not available.

**B. LACTATION ROOM LOCATIONS** – several rooms in the county are available for you to schedule for use as lactation rooms. In addition, there may be a space available closer to your work location that can be temporarily converted for this purpose by using curtains or dividers.

- Room 101, Admin Building, Coupeville. Contact Facilities to schedule, ext. 7870. This room also includes a sink.
- HR Conference Room, Admin Building, Coupeville, room 211. The HR Office has a sink available, and also a refrigerator to store expressed milk. Contact HR to schedule, ext. 7919.
- Auditor's Vault Room, Admin Building, Coupeville, room 107. Sink available in public restroom down the hall. Contact Auditor's Office to schedule, ext. 7827.
- Planning and Community Development Office room 105, Annex Building, Coupeville. No sink available. Contact Planning to schedule, ext. 7802.

**C. STORAGE OF BREAST MILK**

1. Nursing mothers are encouraged to use their department's refrigerators to store expressed milk. They may also use the refrigerators in the Human Resources and Commissioners' offices. Containers must be clearly marked and dated. Milk left for more than four (4) days may be discarded.

2. Nursing mothers must provide their own breast pump and other supplies.

## **VI.13 KEY CONTROL FOR ISLAND COUNTY GOVERNMENT BUILDINGS**

### **A. PURPOSE**

The purpose of the Key Control Policy is to establish a key numbering system and to maintain an active listing of county employees who have an authorized key to county government administration buildings under the jurisdiction of the Maintenance/Custodial Department, in order to prevent loss and reproduction of authorized keys. Buildings which are accessed strictly by the Island County Sheriff, Parks, or Public Works department employees are excluded from this policy, and key control for their facilities will remain the responsibility of their department.

### **B. POLICY/GUIDELINES**

1. In order for Island County government officials, employees, volunteers, or any other authorized person to receive a key the following conditions must be met:
  - a. Prior approval from Department Head or Elected Official to receive key;
  - b. Receive the "Key Control Policy";
  - c. Sign an acknowledgment statement as to having received the "Key Control Policy" and agreeing to its terms; and
  - d. Sign a "key registration card" with the Island County Maintenance Department.
2. Island County government officials, employees, volunteers, and anyone authorized to have a key to Island County facilities shall not reproduce an assigned key or possess an unauthorized key.
3. In the event that a key is lost or stolen, the person responsible for that key shall notify their Department Head or Elected Official immediately. A written statement as to how and where key was lost or stolen, and any circumstances involved shall be submitted to the Facilities Department. Replacement key will not be issued until the written explanation has been received by the Facilities Department. If at any time a lost, stolen, or reproduced key enters the Island County keying system, disciplinary actions may follow accordingly.
4. Upon termination of employment or any other circumstances where the authorized key is no longer needed, the key shall be returned to the immediate Department Head or the Island County Facilities Department. Failure to return the key in a timely manner will result in further actions and will be treated as theft of Island County property.
5. Any government official or employee that feels they have a need for a Master Key shall submit a written outline to the Board of Island County Commissioners on why it is necessary to possess a Master Key. The Board of Island County Commissioners and the Facilities Director will then determine whether the individual shall be issued a Master Key.

### **C. VIOLATIONS/DISCIPLINE**

Violations of the above policy will be treated as follows:

1. Employees will be charged a \$25.00 replacement fee for a lost or stolen key;
2. Failure to return a key as set forth in the guidelines above will result in the final paycheck being withheld until the key is returned; and
3. Key reproduction is unauthorized and could be considered as grounds for employee dismissal

See also:

[Island County Code Chapter 1.32 Key Control for Island County Government Buildings](#)  
[Resolution C-100-95 Key Control for Island County Government Buildings](#)

## **VII. TERMINATION OF EMPLOYMENT**

### **VII.1 RESIGNATION**

An employee wishing to leave County service in good standing shall, at least two (2) weeks before leaving, file with the Elected Official/Department Head a written statement as to the reasons for leaving and the effective date of leaving. The time limit of the resignation may be waived at the discretion of the Elected Official/Department Head.

Employees who plan to separate on a holiday will not be paid for the holiday; their termination date will be the day before the holiday.

### **VII.2 EXIT CHECKLIST**

All employees terminating employment with the County whether by resignation, discharge or retirement shall complete an exit checklist, available at the Human Resources Department. All employees shall be offered an opportunity to participate in a personal exit interview with the Human Resources Department. A copy of the Exit Interview Summary shall be submitted to the Elected Official/Department Head concerned, and the Board of Island County Commissioners shall receive a copy of exit interviews sent to Department Heads.

### **VII.3 LAYOFF**

The County may lay off regular employees for lack of work, budgetary restrictions, or other changes that have taken place. The employee is to be given ten (10) working days' notice, except in cases of emergency, before such layoff is to take place. Temporary employees may be laid off without prior notice.

## **VIII PERFORMANCE and EXPECTATIONS REGARDING THE BEHAVIOR OF PUBLIC EMPLOYEES**

### **VIII.1 RULES OF CONDUCT DEFINED**

Violation of the following listed “unacceptable conduct” may result in corrective action, up to and including termination of employment. The following list should not be considered as all-inclusive. The County retains the right to discipline or discharge employees at-will for any reason not prohibited by state or federal law.

- A. Any criminal act committed during the work day, including, but not limited to, criminal acts of theft, embezzlement, fraud, forgery, vandalism, assault, harassment, hate crimes (malicious harassment), driving under the influence, violations of the controlled substances act, etc. Conduct committed during the work day that meets the definition of a criminal act shall be grounds for immediate disciplinary action, regardless of whether or not criminal charges are filed, and regardless of whether or not a criminal conviction is obtained in a court of law.
- B. Abusiveness toward a fellow employee, supervisor or citizen.
- C. Insubordination, including refusal to obey a reasonable order from proper authority.
- D. Unauthorized absence from duty without prior notice to the employee’s supervisor.
- E. Any use of intoxicating substances or the use of illegal drugs on the job, or arriving on the job under the influence of intoxicating substances or illegal drugs.
- F. Abuse of prescribed drugs on the job.
- G. Unauthorized use, possession, removal, neglect or willful damage to any County property, equipment or materials.
- H. Malicious or careless acts which result in personal injury, property damage or expense.
- I. Falsification of County records and reports, including time records.
- J. Repeated absence or tardiness for any reason.
- K. Accepting gifts, or other valuable items for performance of the employee’s duties for the County, except as provided herein.
- L. Neglect of duties, including carelessness.

Within their own department, Elected Officials/Department Heads may make rules to supplement these rules.

## **VIII.2 ETHICS and CONFLICTS OF INTEREST**

Employees, defined by state law as “municipal officers”, are expected to use good judgment, adhere to high ethical standards, abide by the law and avoid situations that create an actual or perceived conflict between their personal interests and those of the organization.

The tenets in this policy outline some basic guidelines for ethical behavior at Island County. Whenever employees are in doubt, they should consult with the appropriate Elected Official or Department Head.

As a “municipal officer”, employees are expected to meet the standards stated in [Chapter 42.23 RCW](#), Code of Ethics for Municipal Officers. That chapter prohibits the following conduct:

1. No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others, and
2. No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to their services unless otherwise provided for by law and
3. No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her to disclose confidential information acquired by reason of his or her official position; and
4. No municipal officer may disclose confidential information gained by reason of the officer’s position, nor may the officer otherwise use such information for his or her own personal gain or benefit; and
5. No municipal officer shall be beneficially interested directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his/her office, or accept, contract from other person beneficially interested therein except as allowed pursuant to [RCW 42.23.030](#) and [RCW 42.23.040](#).
6. Employees (including departing, furloughed, laid off and temporary employees) may not access, copy or distribute Island County records for use outside of their county scope of work.
7. Employees (including furloughed, laid off and temporary employees) shall not remove County documents, or records from County premises without the written permission of the appropriate Elected Official or Department Head.
8. Employees seeking documents unrelated to their scope of work shall do so in accordance with the Public Records Act request procedures.

Employees are encouraged to seek assistance from their Department Head or Elected Official with any legal or ethical concerns. However, in the event employees feel uncomfortable approaching their Department Head or Elected Official, they may contact a Human Resources representative at [360 678-7921] to report anything that they cannot discuss with their Department Head or Elected Official.

See also:

[Chapter 42.23 RCW – Code of Ethics for Municipal Officers](#)  
[VIII.3 – Outside Employment](#)

### **VIII.3 OUTSIDE EMPLOYMENT**

While Island County does not prohibit employees from having a second job, that job must not affect the employee's work hours, performance, interfere or conflict with the employee's regular duties, raise any ethics concerns, or necessitate long hours that may have an impact on the employee's working effectiveness. A conflict of interest shall exist if an employee benefits or it reasonably appears that an employee benefits in any way from outside employment because of his/her position with Island County. Current employees are not permitted to perform contract work for the County, or any of its associate agencies where compensation would be made by County funds. In the event the employee does not comply, he or she may be terminated.

Working a second job is prohibited while on any kind of leave of absence (without pay) from Island County and could result in revocation of the leave of absence and/or termination of employment. An exemption may be permitted where outside employment occurs for the purposes of obtaining internship or certification for education or training with prior written approval of the Department Head or Elected Official.

This Policy shall not apply to the retention of fees by Official Court Reporters and Court Recorders of the Superior Court for transcription services (including the preparation of written transcripts and copies of tape recordings of Superior Court proceedings) performed on their own private equipment at any time. (See RCW [2.32.240](#); AGO 1994 No.23; Superior Court Civil Rule 80(b).)

#### **Procedure**

Employees who are contemplating secondary employment or self-employment are required to submit a written request for approval to their Department Head or Elected Official. The written request should identify the secondary employer or self-employer, the nature of the duties to be performed, and the anticipated hours the employee will be working. This request will be promptly answered in writing and a copy of the request and the answer will be placed in the employee's personnel file with acknowledgement signatures of both parties.

See also:

[Chapter 42.23 RCW – Code of Ethics for Municipal Officers](#)  
[RCW 2.32.240: Transcript of testimony — Fee — Forma pauperis](#)

#### **VIII.4 PERFORMANCE APPRAISALS**

Performance appraisals will be performed by the Elected Official/Department Head, or immediate supervisor, if designated by the Elected Official/Department Head.

**EMPLOYMENT WITH ISLAND COUNTY IS AT-WILL AND ISLAND COUNTY AND ITS OFFICIALS MAY TERMINATE ANY EMPLOYEES EMPLOYMENT AT ANY TIME, FOR ANY OR NO REASON. NO PROVISION OF THIS MANUAL SHALL BE INTERPRETED OR CONSTRUED AS A PROMISE OF PERMANENT OR CONTINUED EMPLOYMENT. THE ADOPTION OF THE PERFORMANCE APPRAISAL POLICY AND PROCEDURES SECTION VIII.4 AND THE PROPORTIONAL DISCIPLINE POLICY AND DISCHARGE PROCEDURES SECTION VIII.6 DO NOT CONSTITUTE A PROMISE THAT THE COUNTY WILL FOLLOW SUCH POLICIES AND PROCEDURES. EMPLOYEES HAVE THE RIGHT TO TERMINATE THEIR EMPLOYMENT WITH ISLAND COUNTY AT ANY TIME.**

The employee has the option to request in advance that a Human Resources representative be present at the appraisal meeting.

**A. Annual Appraisal**

All regular full-time and regular part-time County employees will be evaluated once per year on or near their anniversary date. Documentation shall be placed in the employee's official personnel file. More frequent evaluations may be conducted at the department head's discretion.

**B. Contents of Performance Appraisal**

Human Resources shall provide Department Heads and Elected Officials with performance appraisal templates specific to job classification and training on how to conduct appraisals. The performance appraisal shall be in writing and shall consist of the following:

- a. Evaluation of the employee's work performance, job related attitude, and other job related factors during the time period since the last review.
- b. Establishment of work related goals and objectives for the upcoming year. This may include training and educational objectives.
- c. Recommendation for performance increase, if applicable due to merit and increase eligibility.
- d. Certification by the supervisor and the employee that they have discussed the evaluation.

**C. Failure to Perform Satisfactorily**

Employees who fail to perform their work satisfactorily will be denied a merit increase. In addition, a performance improvement plan shall be developed and corrective actions identified.

**D. Promotions & Demotions**

The decision to promote or demote an employee for performance must be substantiated with a performance appraisal documenting the reasons for the decision.

**VIII.5 EMPLOYEE DISCIPLINE POLICY STATEMENT**

The success of the County is dependent upon our providing the public with the highest possible level of service. The continued success of the County to maintain this effort is dependent upon all employees working effectively and productively together. While the County will strive to take necessary corrective action in a fair and consistent manner, the County must reserve full discretion to take any and all disciplinary actions which it determines are necessary to ensure that the highest level of service is provided.

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See also:

[VIII.6 - Proportional Discipline](#)

**VIII.6 PROPORTIONAL DISCIPLINE**

**EMPLOYMENT WITH ISLAND COUNTY IS AT-WILL AND ISLAND COUNTY AND ITS OFFICIALS MAY TERMINATE ANY EMPLOYEE'S EMPLOYMENT AT ANY TIME, FOR ANY OR NO REASON. NO PROVISION OF THIS MANUAL SHALL BE INTERPRETED OR CONSTRUED AS A PROMISE OF PERMANENT OR CONTINUED EMPLOYMENT. THE ADOPTION OF THIS PROPORTIONAL DISCIPLINE POLICY AND DISCHARGE PROCEDURES DOES NOT CONSTITUTE A PROMISE THAT THE COUNTY WILL FOLLOW SUCH POLICY AND PROCEDURES. EMPLOYEES HAVE THE RIGHT TO TERMINATE THEIR EMPLOYMENT WITH ISLAND COUNTY AT ANY TIME.**

**A. Proportional Discipline:**

Department Heads and Elected Officials are encouraged to use principles of proportional discipline with the employees they supervise. Under these principles, employee discipline is usually imposed starting from the least severe discipline and progressing to more severe discipline, when necessary, in order to correct problems. However, for serious infractions, more severe discipline may be taken. Starting with the least severe, these steps may include oral warnings, written warnings, suspension without pay, demotion, and finally discharge from employment. It is within the sole discretion of each Department Head and Elected Official on a case-by-case basis to determine which proportional discipline step should be imposed based upon a particular employee's conduct.

**B. Discharge Procedures:**

1. Prior to a Department Head or Elected Official taking action to discharge an employee, he or she shall discuss such action with the Human Resources Director.
2. After supplying the employee with a written list of alleged unsatisfactory conduct, the Elected Official/Department Head shall conduct an informal meeting and review of the circumstances with the employee involved in an effort to allow him/her to explain his/her side of the issue prior to any final decision being made regarding the discharge of the employee.
3. If, in the opinion of the Elected Official/Department Head, immediate action is necessary prior to taking the steps outlined in paragraphs 1 and 2 above, the Elected Official/Department Head should place the employee on administrative leave for not more than thirty (30) days, until all circumstances are reviewed.

See also:

[VIII.5 - Employee Discipline Policy Statement](#)

<b>VIII.7 PROHIBITION ON MAKING COMMENTS REGARDING COMPETENCE/QUALIFICATIONS</b>
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Department Heads and employees, while in the course and scope of their employment with the County, are prohibited from making comments to members of the public regarding the competence or qualifications of any contractor, engineer, planning consultant, surveyor or any other person in a similar profession or vocation. This prohibition does not apply to reporting whether the person has or does not have any license, permit or certification required to do the work in question.

<b>VIII.8 POLITICAL ACTIVITY</b>
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- A. Employees shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan or non-partisan, political campaign. Nothing in this section shall prohibit an employee, outside of working hours, from participating fully in campaigns relating to constitutional amendments, referendums, initiatives and issues of a similar character and for partisan and non-partisan offices.

- B. No person shall solicit on County property any contribution to be used for partisan political purposes.
- C. No County Elected Official, appointed Department Head or employee may use any County facility, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. County facilities include, but are not limited to, the use of County stationery, postage, machines, equipment, County employees during working hours, vehicles, office space, County publications and lists of persons served by the County.

The foregoing provisions of this section shall not apply to the following activities:

- 1. Action taken by members of the Board of County Commissioners at an open public meeting to express a collective decision or vote upon a motion, proposal, resolution, order, ordinance, or to support or oppose a ballot proposition.
  - Any required notice of the meeting must include the title and number of the ballot proposition, and members of the public and members of the Board of County Commissioners in opposition must be afforded an approximately equal opportunity for expression of that opposing view;
- 2. A statement by an Elected Official in support of or in opposition to a ballot proposition at an open press conference or in response to a specific inquiry; and
- 3. Activities which are part of the normal and regular conduct of a County office.

#### **VIII.9 SOLICITATIONS AND DISTRIBUTIONS BY EMPLOYEES**

Solicitation of funds, sales of tickets, or other items, unauthorized posting of notices, distribution of literature and solicitation of membership in organizations in County facilities or at County work locations during working time by employees are prohibited unless authorized by the Board of County Commissioners.

#### **VIII.10 ELECTRONIC COMMUNICATIONS ACCEPTABLE USE POLICY**

All County Computer workstation/ network users and users of the Internet must be familiar with current policy regarding the acceptable use of these resources. If you have not done so previously, please review these documents now.

##### **A. INTRODUCTION**

The primary purpose of Island County's electronic communications is to facilitate the timely and efficient conduct of County business. The communications are also provided to encourage and

facilitate the free exchange of business related communications and ideas between employees. This includes, but is not limited to, electronic mail systems (e-mail), voice mail systems, faxes, Internet and other electronic media that generate, store, transmit and display correspondence for internal and external business communication purposes. All electronic data are the property of Island County and may be public records under the Public Records Act ([Chapter 42.56 RCW](#))

This policy applies to all employees, contractors, extra help employees, volunteers and other individuals who are provided access to Island County's electronic communications.

Employees are representing the County, and thus all communications shall be professional and appropriate. Employees are prohibited from using electronic communications for solicitation of funds, political messages, harassing messages, and other such messages as specifically prohibited. Employees who have resigned, are terminated or laid off have no right to the contents of the County electronic communications and will not be allowed access. The misuse of electronic communications may subject the employee to disciplinary actions, including but not limited to termination of employment.

## **B. E-MAIL POLICY**

1. **E-Mail is for Business Use.** Island County's electronic mail system is primarily for official business. The system is not to be used for employee personal gain or to support or advocate non-county related business. The County reserves the right to monitor the use and content of e-mail.
2. **E-Mail Is Not Private.** E-mail is not private or confidential and should not be used for any information you consider personal or private. Any e-mail message is annotated with your e-mail address and can therefore be traced to you. Any message sent can be forwarded to anyone else on the network or to the internet. It is also possible to retrieve deleted e-mail messages. All messages are Island County records and are the property of Island County. Island County reserves the right to read, use and disclose e-mail messages.
3. **E-Mail Decorum and Content.** When using the e-mail system, keep in mind that you are using Island County property. As a result, your comments must be appropriate to our business setting. All outgoing messages which do not reflect the official position of Island County must include the following disclaimer: "The opinions expressed here are my own and do not necessarily represent those of Island County."
4. **Discretion when using "ALL".** Users should avoid sending or replying to distribution lists "ALL" when communication to a few individuals will suffice.
5. **Virus Warning E-mail.** In the event that user receives e-mail containing warnings of viruses or other "scare tactic" e-mail, user must immediately contact network administrator for a determination of authenticity. At no time should user forward these e-mails onto other users within Island County network. Violation of this clause will be determined as abuse and user will be terminated from network for undetermined amount of time.

Island County, in general, cannot and does not wish to be the arbiter of the contents of electronic mail. Neither can Island County, in general, protect users from receiving electronic mail they may find offensive. Employees of Island County, however, are strongly encouraged to use the same

personal and professional courtesy and consideration in electronic mail that they would in other professional forms of communication.

Unless an “authenticated” mail system is in use, there is no guarantee that electronic mail was in fact sent by the purported sender. It is relatively easy, although a violation of this Policy, for senders to disguise their identity. Furthermore, electronic mail that is forwarded may be modified as well. **Because of the ease with which e-mail addresses can be “spoofed” or forged, e-mail should not be used for official documentation or official notification, unless authenticity is verified by an independent method.**

This Policy applies only to electronic mail in its electronic form. The Policy does not apply to printed copies of electronic mail. This Policy applies equally to transactional information (such as e-mail headers, summaries, addresses, and addressees) associated with e-mail records as it does to the contents of those records.

### **C. INTERNET POLICY**

- 1. Internet is for Business Use.** Access to the Internet should be strictly for county related business and is only allowed via the County’s centralized Internet connection (no connections via modems). Alternate methods of Internet access, such as using a modem to access internet services (Whidbey connections, CompuServe, etc.), would compromise the County’s network security, exposing it to potential harm from computer hackers. Internet resources for which there are fees must not be accessed without prior approval of a supervisor; any costs incurred while accessing the Internet without approval are the responsibility of the employee (see III.B)
- 2. Internet Use is Not Private.** When sites are accessed on the Internet, IP addresses are recorded. Comments are not anonymous, and any electronically stored communication sent or received may be retrieved. Island County reserves the right to review user accounts, workstations and file server space in order to determine whether specific uses of Internet information systems are appropriate.
- 3. Unacceptable Internet Site.** Management reserves the right to make final determinations in all cases of appropriate use of the Internet. There is a wide variety of information on the Internet. Some individuals may find some information on the Internet offensive or otherwise objectionable. Individual users should be aware that the County has no control over and can therefore not be responsible for the content of information available on the Internet. The following are examples of unacceptable sites and are not intended as an all-inclusive list:
  - a. Pornographic, religious, or partisan political sites.
  - b. Any site that charges a fee. Visiting such a site must be pre-authorized in writing. If you do visit such a site by mistake, do not give out any billing information such as a credit card number or business phone number. If you are asked for billing information, cancel out of the screen immediately. Resources for which there are fees must not be accessed without prior written approval of a supervisor. Any costs incurred while accessing the Internet are the responsibility of the employee unless approved in advance by the supervisor or department head.

- c. Vendor sites to purchase personal items. Business purchasing must exclusively go through the contract review process of the County or IT.
- d. Downloading of any software from the Internet into a server or workstation without prior approval. Most software on the Internet is not free. Software companies will offer free demos to download, users are still obligated to purchase the software after free trial or remove it from their systems. This is hard to track and would be a potential copyright infraction.

**4. Harassment through the Internet.** If you believe that you are the victim of harassment, please follow these procedures:

- a. Don't delete the message.
- b.** Don't respond.
- c. Do notify your supervisor, elected official/department head, or appropriate designate.

#### **D. INTRANET POLICY**

Island County users must comply with the following Island County Network Rules. No set of rules can cover every contingency. These are an attempt to provide a sense of what constitutes "acceptable use." There are no network police and therefore, these rules will only be effective through cooperation by all employees of Island County utilizing the ICnetwork. (Island County network)

1. Fraudulent use of the network is prohibited. Fraudulent use includes, but is not limited to:
  - a. Using the ICnetwork for personal profit
  - b. Attempting to intentionally interfere with the performance of the ICnetwork.
  - c. Using a computing user-id or account belonging to another individual without his or her permission.
  - d. Attempting to access data being transferred through the ICnetwork or files on any computer connected to the ICnetwork without the owner's permission.
  - e. Interfering with the legitimate work of other users.
  - f. Unauthorized copying or transmission of software. All proprietary computer software is legally protected by copyright, patent or trade secret law.
  - g. Abusing any interconnected network such as the Internet.
  - h. Using the ICnetwork to attempt to violate any connected computer system's security.
  - i. Using the ICnetwork to spread computer viruses, Trojan horses, worms or any program designed to violate security, interfere with the proper operation of any computer system or destroy another user's data.
  - j. Using the ICnetwork in any manner which violates any federal state, or local law.
2. Each user is responsible for any misuse of his/her User-ID.
3. Password(s) should be changed often in order to protect users and their data. The following recommendations are provided for selecting passwords.
  - a. Pick passwords which are difficult for someone else to guess.
  - b. Avoid words which might appear in the dictionary.

- c. Select a password which has imbedded numbers or punctuation or consists of multiple words.
  - d. Do not write your password where it might be found by an unauthorized user.
- 4. As a network user you are expected to conserve resources by avoiding unnecessary large file transfers.
- 5. If IC network administrative personnel request that you cease a network activity because of its negative impact on the ICnetwork or other users, you are expected to cease that activity immediately.

#### **E. ISLAND COUNTY INTERNET HOME PAGE POLICY**

Island County only assumes responsibility for the information provided on the home page. Island County does not monitor and has no control over the information accessed through the Internet. The Internet offers access to many valuable local, national, and international sources of information. However, not all sources on the Internet provide accurate, complete, or current information. A good information consumer evaluates the validity of information found. The Internet is a global entity with a highly diverse user population and information content. Island County cannot censor access to materials or protect users from materials they may find offensive. In choosing sources to link to our home page, we follow generally accepted government practices. Beyond this, we do not monitor or control information accessible through the Internet and do not accept responsibility for its content. Island County is not responsible for changes in content of the sources to which we link, nor for the content of sources accessed through secondary links.

#### **Island County Electronic Communications Policy Implementation:**

- a. Elected Officials/Department heads are responsible for:
  - Distributing a copy of the policy to each staff member
  - Obtaining a signed acknowledgment of receipt and understanding of the policy which includes agreement to comply and maintaining the signed acknowledgement in the user's personnel file.
  - Assessing the need for Internet access by their staff on a case by case basis and submitting a request for access to IT for each user.
  - Being aware of all Copyright software used by staff members and be responsible for preventing potential violations of Copyright laws and misuse of software within their departments.
- b. IT shall monitor and coordinate policy revisions to meet ongoing business changes.
- c. Elected Officials/Department heads reserve the right to review employee Internet use to determine whether those uses are appropriate.

See also:

[Resolution C-52-085 Electronic Communications Acceptable Use Policy](#)  
[VIII.2 – Ethics and Conflicts of Interest](#)  
[VIII.11 – Social Media Policy](#)  
[RCW 42.52.160 Use of persons, money, or property for private gain](#)  
[Chapter 42.56 RCW Public records act](#)  
[Chapter 40.14 RCW Preservation and destruction of public records](#)

## VIII.11 SOCIAL MEDIA POLICY

- A. **STATEMENT OF POLICY:** Social media presents opportunity and risk to individual County agencies, departments, employees and the County as a whole. Island County has a business need to augment traditional communication methods with the use of social media channels. This document establishes countywide social media use policies, protocols and procedures intended to mitigate associated risks from use of this technology where possible.

The goal of the social media policy is to provide Elected Officials, Department Heads and employees with: (1) the specific rules and limitations governing the use of social media for County-related business or programs in order to safeguard the County's compliance with governmental regulations such as, but not limited to, public records/retention requirements and (2) notice that certain private social media activities engaged in by employees have the potential to create risks and legal issues for the County and/or its employees.

Policy violation(s) may result in disciplinary action up to, and including, termination of employment and/or legal action.

Due to known risks regarding the use of social media, Island County limits the use of social media by its offices, departments, and employees for the purpose of informing the public about the services and activities of Island County. This is because:

- a. It is an insecure medium that is vulnerable to hacking, viruses, and digital seepage; i.e., data is able to end up in the hands of unauthorized users;
- b. There can be no reasonable expectation of privacy, whether an employee is using social media for County business on County networks and equipment, or through his/her personal devices;
- c. Use of social media increases the risk of libel offenses;

**This policy addresses three modes of social media employee interaction.**

- Postings of official information on County-authorized social media accounts for the purpose of informing the public about the services and activities of Island County
- Employee use of Island County property for the posting and/or viewing of non-work information on non-County social media pages
- Employee use of Island County time for the posting or viewing of non-work information on social media pages, using employee-owned electronic devices

### B. DEFINITIONS:

The following definitions apply to this policy only.

1. **Social Media:** Internet-based technologies that facilitate communications, social interactions and dialogue between individuals, communities and organizations. Examples include, but are not limited to: Internet forums, weblogs, Micro-blogging (e.g. Twitter), Wikis (e.g. Wikipedia), podcasts, image sharing services (e.g. Flickr and Pinterest), video sharing services (e.g. YouTube and Vimeo), Social Networking (e.g. Facebook, MySpace and LinkedIn), and virtual gaming (e.g. Second Life). Social Media does NOT include sites that permit the unauthorized sharing, uploading or downloading of

material protected by copyright, patent, trademark or other laws. The use or access of such sites by County employees is strictly prohibited.

2. **Official Social Media Account:** An account established on a commercial social media website, or other web-based communication platform on behalf of an Island County department or office for the exclusive purpose of conducting official County business.
3. **Administrator:** The employee responsible for establishing and/or maintaining an Official Social Media Account.
4. **Official County Information:** Information relating to the conduct of County government or the performance of any governmental or proprietary function that is created, prepared, gathered, owned, used, or retained by Island County. "Information" is to be construed broadly, and includes any communication, data, or knowledge that can be shared with others.
5. **Offensive Language:** Communication that would shock or offend an ordinary person in a dignified setting, including lewd, lascivious, or vulgar language. A good guide for non-offensive language would be language permissible on over-the-air broadcast television in the hours after school, or language permissible in G-rated movies.
6. **Confidential Information.** Information that would be exempt from public disclosure by the Washington Public Disclosure Act, and information that is considered to be "confidential" or "private" under any other applicable Federal, State, or County code or Court Rule, and information that would violate an individual's right to privacy, and any other information that was gathered, produced or discussed under circumstances where it would reasonably be expected to remain confidential. The definition of "Confidential Information" shall be construed very broadly for purposes of publication via social media.
7. **Libelous Communication:** In addition to its ordinary meaning, means any communication tending to expose another person or entity to hatred, contempt, or ridicule, or otherwise tend to harm a person's or entity's reputation.
8. **Publish:** In addition to its ordinary meaning, means to make information available to others, regardless of the media (i.e. print, image, video, audio, etc.), via Social Media, and shall include, but not be limited to, the following terms as they are commonly understood in the realm of social media: Post, Share; Upload, Update, Blog, Tweet, and Message. The use of any of these terms in this policy, unless otherwise restricted, shall be synonymous with the term "Publish."

## **C. PROCEDURE FOR USING SOCIAL MEDIA FOR OFFICIAL COUNTY BUSINESS:**

1. **Authorized Social Media sites**  
Island County will support Twitter and Facebook only, unless an alternate site becomes authorized by the Board of Island County Commissioners.
2. **Authorization for Use of Social Media By An Employee**

No employee may establish any Official Social Media Account, or publish Official County Information on any existing non-County Social Media site without first obtaining written approval by the employee's department head or elected official.

3. Use of Social Media By An Elected Official or Department Head

No Elected Official or Department Head shall use or authorize the creation of an Official Social Media Account without first notifying IT for access to one or more specific Social Media sites. The notification must:

- a. Be in writing;
- b. Specify the purpose for which the Official Social Media Account will be used;
- c. Specify the name(s) and job title(s) of the employee(s) who will be the Official Social Media Account Administrator; and
- d. Specify whether the Official Social Media Account will allow the public to publish there, and, if not, identify all employees who will have authorization to publish Official County Information.

4. Responsibilities of Information Technology Department

- a. In consultation with the Technology Committee, create consistent naming conventions for all Official Social Media Accounts that identifies the account as an official Island County Account, and provides for efficient, user-friendly access to the Account for both employees and the general public. (For example, Facebook accounts may be "Island County Health" and "Island County Superior Court." Twitter accounts may all start with "@islcnty" followed by employee name or department.)
- b. Provide technical assistance to departments desiring to use Social Media.

5. Basic Usage Standards For Official Social Media Accounts

- a. An Official Social Media Account shall only be used for the specific purposes for which it was created.
- b. An Official Social Media Account shall only be used for the posting of Official County Information and in most cases is intended to be one-way communication;
- c. In general, only Official County Information that is likely to be of interest to groups of people should be published on an Official Social Media Account. Two-way communication and information directed toward a small number of identified individuals should be communicated through traditional channels such as email, personal message, phone or postal mail.
- d. Employees shall not publish anonymously, using pseudonyms, or using another employee's username, except that the Administrator may publish under a username or handle that identifies the department or program that has created the Official Social Media Account.
- e. Employees shall not use Offensive Language in any posting to an Official Social Media Account.
- f. Employees shall not post any Libelous Communication, or anything that has the potential to be a Libelous Communication;
- g. Employees shall not publish any Confidential Information to an Official Social Media Account. **Unlawful disclosure of confidential government information may result in criminal prosecution, in addition to employment consequences.**

- h. Any employee who observes content on any Official Social Media Account that appears to be in violation of these Basic Usage Standards, shall immediately report the content to his or her supervisor, department head, or elected official, and “flag” the content as inappropriate.
- i. Employees shall not, in their capacity as Island County employees, post or publish any information on any Social Media site other than an Official Social Media Account for which they are authorized to publish information.
- j. Any Social Media web page must include an alternative means of contacting the Administrator (such as via email or telephone), and include links to the County’s home page.
- k. All employees authorized to publish on the Official Social Media Account must comply with this policy.
- l. All official county information made available to the public must be current and accurate.

#### 6. Social Media Account Administration

The Official Social Media Account Administrator shall:

- a. Ensure that any Official Social Media Account clearly and obviously indicates that it is an official site or account of Island County, Washington by following the naming convention, and, where possible, prominently displaying the official Island County logo;
- b. Ensure the maintenance of an archival record of the Official Social Media Account that includes every post published, including the ability to reproduce any original or intermediate post that was edited or deleted after having been previously published. The archival record shall permit easy access for inspection and reproduction;
- c. Provide a degree of monitoring consistent with the Basic Usage Standards;
- d. Upon learning of any content on the Official Social Media Account that violates Basic Usage Standards, immediately remove the offending content and notify his or her department head or elected official, and the County Risk Manager if appropriate.

#### 7. Enforcement

- a. Every County employee is required to familiarize himself/herself with this policy.
- b. Violations of the Social Media Policy are serious, and may expose the County to significant financial liability and cause personal, reputational, and proprietary harm to individuals and companies. Department heads and elected officials shall act promptly, and, in consultation with the Director of Human Resources, the Risk Manager, and other as appropriate, and determine appropriate discipline, up to, and including termination.
- c. The County shall provide training regarding the official use of social media at new employee orientations and through periodic workshops or course offerings through other entities.

#### **D. USE OF SOCIAL MEDIA FOR NON-WORK RELATED PURPOSES**

1. Use of county resources to access social media accounts/sites is governed by state law and County policies concerning appropriate and prohibited uses. (See [RCW 42.52.160](#) and [PPPM VIII.2](#); see also the “[Electronics Communications](#)” policy.)
2. Employees who use their own personal equipment (such as smart phones) for non-work social media purposes while at work should do so only during authorized breaks.
3. Employees are not to use County email or other accounts to establish or maintain personal social networking accounts.

See also:

[VIII.1 – Rules of Conduct Defined](#)

[VIII.2 – Ethics and Conflicts of Interest](#)

[VIII.10 – Electronic Communications Acceptable Use Policy](#)

[Chapter 42.56 RCW Public records act](#)

[Chapter 40.14 RCW Preservation and destruction of public records](#)

[RCW 42.52.160 Use of persons, money, or property for private gain.](#)

## **IX ALCOHOL, TOBACCO, DRUGS AND FIREARMS**

### **IX.1 WORKPLACE FREE OF ALCOHOL AND DRUGS**

#### **A. POLICY/GUIDELINES**

1. Island County government officials, employees and volunteers shall refrain from the following actions in county workplaces: Unlawful manufacture, distribution, dispensing, possession or use of a controlled substance as defined in Federal law contained in 21 U.S.C. Section 812, and possession, use or intoxication by an alcoholic beverage.
2. Officials, employees and volunteers shall notify their supervisors whenever they are advised by a physician, pharmacist or other medical professional that a drug the employee is using may cause physical impairment or altered moods.
3. Officials, employees and volunteers shall notify their supervisors of any criminal drug statute conviction for a violation occurring in the work-place no later than five (5) days following such conviction.

#### **B. VIOLATIONS/DISCIPLINE**

Violations of the above policy will be treated as follows:

1. Impairment from alcohol or other drug while on duty will result in relief from duty and possible disciplines.
2. Every official, employee or volunteer found in violation of the above provisions or convicted of an alcohol or criminal drug offense occurring in the work-place shall be subject to discipline which may include termination.

## **C. REHABILITATION**

We encourage any official, employee or volunteer who uses alcohol or other drug in violation of this policy or in excess to seek assistance through the County's Employee Assistance Program or through their own medical provider.

## **C. GENERAL INFORMATION**

1. Island County does not endorse any particular treatment agency or program and makes no guarantee of success or of continued employment of the official, employee or volunteer.
2. Officials, employees and volunteers covered by Medical Insurance should check their policy handbook for information as to coverage of outpatient and inpatient treatment for either chemical dependency or psychological medical treatment.
3. Alcohol and other Drug-Free Awareness -- Information, pamphlets and programs regarding alcohol and other drug abuse will be available from the Island County Health Department or as otherwise designated by the Board of County Commissioners.

See also:

Resolution C-164-91: Workplace Free of Alcohol and Drugs

## **IX.2 TOBACCO PRODUCTS**

### **A. POLICY**

Island County recognizes that exposure to secondhand smoke is known to cause cancer in humans. Secondhand smoke is a known cause of other diseases including pneumonia, asthma, bronchitis, and heart disease. Citizens are often exposed to secondhand smoke in the workplace, and are likely to develop chronic, potentially fatal diseases as a result of such exposure. In order to protect the health and welfare of all citizens, including workers in their places of employment, it is necessary to prohibit smoking in public places and workplaces.

### **B. PROCEDURES**

1. Smoking and use of smokeless tobacco is prohibited inside all Island County facilities, including County owned buildings, vehicles, offices or other facilities rented or leased by the County, including individual employee offices.
2. Because the law prohibits any person from smoking at a place of employment, members of work crews are prohibited from smoking at any worksite locations. While at a worksite, an employee may only smoke while on his or her break, and the employee must be at least twenty-five (25) feet from other working County employees.

3. Smoking and the use of smokeless tobacco products is allowed during breaks and lunchtime in designated areas outside of County facilities and away from worksite locations. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of co-workers with regard to their use of tobacco products. Users of tobacco products have a special obligation to keep smoking areas litter-free and not to abuse break and work rules. Complaints about smoking issues should be resolved at the lowest level possible. Employees who violate the policy may be subject to disciplinary action up to and including termination.

As part of Island County's Employee Assistance Program (EAP), employees are encouraged to seek counseling and treatment regarding smoking cessation. Although the decision to seek such assistance is voluntary, the County encourages employees to utilize the EAP. In many cases, the expense of a smoking cessation program may be fully or partially covered by the County's benefit program.

See also:

Chapter 70.160 RCW Smoking in public places (formerly Washington Clean Indoor Air Act)

IX.3 - Smoking in Island County Government Buildings

X.5 - Smoking in Island County Motor Vehicles

### **IX.3 SMOKING IN ISLAND COUNTY GOVERNMENT BUILDINGS**

This policy is in effect for all Island County government public buildings and immediate surroundings, whether the buildings are owned, leased, or rented.

#### **A. DEFINITIONS: SMOKE--SMOKING**

**Smoke** or **smoking** means the carrying or smoking of any kind of e-cigarette, lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

#### **B. SMOKING IN ISLAND COUNTY GOVERNMENT BUILDINGS PROHIBITED**

No person may smoke in an Island County government building or outside such building within twenty-five (25) feet from entrances, exits, windows that open, and ventilation intakes, whether the building is owned, leased, or rented by the county.

#### **C. VIOLATION--PENALTY**

Any person intentionally violating the provisions of Chapter [70.160 RCW](#) and this policy by intentionally smoking where smoking is prohibited and any person removing, defacing, or destroying a nosmoking sign shall be subject to a civil fine of up to one-hundred dollars (\$100.00) as set forth in [RCW 70.160.070](#).

See also:

[Island County Code Chapter 1.28 Smoking in Island County Government Buildings](#)  
[Chapter 70.160 RCW Smoking in public places \(formerly Washington Clean Indoor Air Act\)](#)

#### **IX.4 POSSESSION OF FIREARMS**

Island County Department Heads shall not carry a firearm while performing County business without expressed written permission of the Board of County Commissioners. County employees shall not carry firearms while performing County business without express written permission of their Elected Official/Department Head. Department Heads who authorize employees to carry firearms shall each year provide the Risk Manager with a firearms plan. All State and Federal statutes shall be complied with including obtaining a concealed firearms permit when required by law.

### **X COUNTY VEHICLES**

#### **X.1 IDENTIFICATION OF COUNTY VEHICLES**

All County vehicles are to be distinctly identified, except: vehicles assigned to the Coroner's Office, Prosecutor's Office and Sheriff's Office that are utilized on occasion for confidential investigations are not required to comply with this action, except as provided for by State or Federal law.

See also:

[X.3 – Driver Requirements](#)

[X.4 – Responsibility of Drivers](#)

#### **X.2 USE OF COUNTY VEHICLES AND PRIVATE VEHICLES**

##### **A. COUNTY VEHICLES**

1. The employee to whom a County vehicle is entrusted is responsible for its proper operation and upkeep. Automotive service shall be authorized by Elected Official/Department Head. The employee to whom the vehicle is entrusted shall be responsible for seeing that servicing is authorized and obtained.
2. Mechanical defects or damage shall be called to the attention of the Department Head as soon as possible in order that the proper repairs can be arranged.
3. County vehicles are for County business, not for personal use. Whenever possible, two (2) or more employees should share rides and a driver should call other departments to notify them of the transportation available to outlying areas of the County. Employees using a County vehicle for County business may make limited personal use of that vehicle (such as to purchase lunch or to stop at a grocery store on the way home).

4. Employees who are on call and the duty may require a physical response may take County vehicles home, with direction from the Elected Official or upon recommendation of the Department Head and approval of the Board of County Commissioners. Limited personal use of the County vehicle may be made (such as shopping at a grocery store on the way home). Employees commuting in County vehicles will have income imputed pursuant to *Reg. § 1.61-21(c)(2)* of the Internal Revenue Code.
5. Each driver/department must keep a log of mileage and records of all expenditures.

## **B. PRIVATE VEHICLES**

1. The policy of the Board of County Commissioners is that an appropriate County vehicle should be made available for use by a County employee for all County business.
2. If an appropriate County vehicle is not available, the affected Department Head may approve the use of a private vehicle by an employee provided that the following conditions are met:
  - a) The Elected Official/Department Head has been assured the driver and vehicle to be used is insured by not less than the minimum amount of liability insurance required by the laws of the State of Washington;
  - b) The driver has a valid Washington State driver's license;
  - c) The private vehicle is being used to go directly to and from the assigned job site and is used for official County business;
  - d) That any excess mileage for personal use will not be reimbursed by the County;
  - e) The vehicle operator pays all costs for the use of the vehicle; such costs shall include but not be limited to insurance premiums, insurance deductibles, fuel, oil, storage, repairs, and maintenance.

See also:

[X.1 – Identification of County Vehicles](#)

[X.3 – Driver Requirements](#)

[X.4 – Responsibility of Drivers](#)

[XI.2 – Travel Expenses](#)

## **X.3 DRIVER REQUIREMENTS**

Any person who drives a County vehicle must possess a valid Washington State Motor Vehicle Operator's License and "endorsement" or validations, if required, for special equipment. Motor Vehicle Department driving records showing accidents or tickets may affect an employee's right to drive a County vehicle. In addition, any person who drives a County vehicle or a private

vehicle on County business must comply with the driver qualifications as set forth in the Island County Safety Manual.

The County's liability insurer requires the monitoring of the driving activity of those employees who both operate a county vehicle or their own vehicle for County business. To comply with such requirements, the County participates in a driver monitoring program which provides near real time DOL information.

See also:

[XI.2 – Travel Expenses](#)

[X.2 – Use of County Vehicles and Private Vehicles](#)

[X.4 – Responsibility of Drivers](#)

#### **X.4 RESPONSIBILITY OF DRIVERS**

An employee who drives a County vehicle has responsibility:

- A. To operate the vehicle in a safe manner that will comply with local and state traffic laws.
- B. To use the vehicle for official business only.
- C. To transport passengers only in connection with official County business.
- D. To take reasonable precautions to protect the vehicle from damage or theft.
- E. Employees involved in accidents while driving private vehicles on County business or while driving County vehicles shall report and follow the procedures as prescribed in the Island County Safety Manual adopted by the Board of County Commissioners.
- F. Mechanical defects or damage shall be called to the attention of the Elected Official/Department Head as soon as possible in order that the proper repairs may be arranged.
- G. To keep the interior and exterior of the vehicle clean.
- H. To keep necessary records of mileage, minor repairs and gas usage, if required.
- I. To be responsible for any fines related to violations while operating the vehicle.
- J. To assure the safety of the driver and passengers by using and requiring the passengers to use seat belts. This also applies to employees who operate their personally-owned vehicles on County business.
- K. Smoking is not permitted in County vehicles (see Section X.5).

See also:

[XI.2 – Travel Expenses](#)

[X.1 – Identification of County Vehicles](#)

[X.2 – Use of County Vehicles and Private Vehicles](#)

[X.3 – Driver Requirements](#)

[X.5 – Smoking in Island County Motor Vehicles](#)

## **X.5 SMOKING IN ISLAND COUNTY MOTOR VEHICLES**

This policy is in effect for all Island County government motor vehicles whether owned, leased, or rented.

### **A. DEFINITIONS**

1. “Smoke” or “Smoking” means the carrying or smoking of any kind of e-cigarette, lighted pipe, cigar, cigarette, or any other lighted smoking equipment.
2. “Motor Vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. ([RCW 46.04.320](#))

### **B. SMOKING PROHIBITED**

No person may smoke in an Island County government motor vehicle whether the motor vehicle is owned, leased, or rented by Island County.

### **C. VIOLATION**

Any person violating the provisions of this policy shall be subject to disciplinary action.

See also:

[Island County Code Chapter 1.30 Smoking in Island County Motor Vehicles](#)

[IX.2 – Tobacco Products](#)

[IX.3 - Smoking in Island County Government Buildings](#)

[Chapter 70.160 RCW Smoking in public places \(formerly Washington Clean Indoor Air Act\)](#)

## **XI EXPENSES**

### **XI.1 CLAIM FOR REIMBURSEMENT PROCEDURES-CERTIFICATION- ACCOMPANIED BY RECEIPT**

Claim for reimbursement shall be certified by the officer or employee submitting such claim on a form and in the manner prescribed by the Division of Municipal Corporations of the office of the State Auditor. Claims shall be accompanied by receipt, but the Board of County Commissioners may approve a claim unaccompanied by a receipt if the claimant certifies in writing that a receipt could not be conveniently obtained.

No claim shall be allowed without the approval of the Department Head, or the senior deputy in absence of the Department Head.

## **XI.2 TRAVEL EXPENSES**

### **A. POLICY**

It is the policy of Island County to reimburse allowable travel expenses when reasonable, necessary, and directly related to conducting business for the County. This includes conferences, training, etc. for all employees and elected officials. All expenditures of County funds must comply with this policy regardless of the source of funding, such as grant funding.

### **B. COMMENTS**

1) The County reimburses the following travel expenses:

- Transportation
- Meals
- Lodging when the destination is in excess of seventy five (75) miles one way from the employee's regular workplace. If the destination is less than seventy five (75) miles advance approval is required by the Elected Official/Department Head.
- Ferry
- Parking
- Registration fees for conventions, conferences, and training.
- Expenses for required educational material which remains the property of the County
- Incidental business expenses (i.e. copies, faxes, telephone, etc)

2) The County does not reimburse certain expenses

- Liquor
- Theft, loss or damage to personal property
- Expenses of family or other persons not authorized to receive reimbursement under this policy
- Airline or other trip insurance
- Medical or hospital expenses
- Fines for parking or other traffic violations
- Personal telephone calls
- Personal entertainment and transportation
- Personal care services
- Any personal travel that may be associated with business travel

3) The County Auditor audits compliance with the policy and state law and develops procedures to administer the policy.

4) Only the Board of County Commissioners may approve exceptions to the policy.

5) Employees must seek authorization in advance from the appropriate Elected Official or Department Head for the following travel expenses.

- Overnight travel
- Air travel
- Lodging when the destination is less than 75 miles one way from the workplace
- Use of personal vehicle
- Use of rental vehicle

6) Out-of-state travel or travel exceeding three (3) days for department heads or their staff must be authorized in advance by the Board of County Commissioners if the expense is outside of the department's existing travel budget. The Chair of the Board of County Commissioners can sign for out of state travel or travel exceeding three (3) days for department heads or their staff on behalf of the Board as long as it is within the department's existing travel budget.

7) Meals taken out of the county are reimbursed on a per diem rate of \$49 including taxes and tips and adjusted for a partial day travel as described below.

**C. DEFINITIONS: THE FOLLOWING DEFINITIONS APPLY TO THIS SECTION**

- **Day Travel Status:** An employee is in day travel status when the employee's destination is outside of the County and the travel lasts for six (6) hours or more, but does not include an overnight stay. Travel for less than six (6) hours, or travel to a destination within the County is not considered day travel.
- **Overnight Travel Status:** An employee is in overnight travel status when he or she stays overnight outside of the County on official business and the travel lasts for twelve (12) or more hours. Overnight travel status begins on the first day of travel at the time the employee embarks, and ends at the time the employee arrives at his or her home or usual job site (whichever is earlier) on the last day of travel.

- **Reimbursement Rates.** The per diem rates for meals are fixed allowances for breakfast, lunch, and/or dinner which includes tips and gratuities at the following rates

▪ Breakfast	\$12.00
▪ Lunch	\$15.00
▪ Dinner	\$22.00

- **Day Travel Status:** An employee may claim the fixed meal allowance(s) for the following meals if in day travel status at the indicated times;

▪ Breakfast	7:00 AM
▪ Lunch	Noon
▪ Dinner	6:00 PM

- **Overnight: Travel Status;** An employee may claim the fixed meal allowance(s) for the following meals from the first day through the last day of travel when in

overnight travel status during the following times:

▪ Breakfast	7:00 AM
▪ Lunch	Noon
▪ Dinner	6:00 PM

- Actual meal cost may be reimbursed when it is included in the registration fee as a part of a regularly scheduled business event such as training, conference, professional meeting or other business meeting and the employee paid the registration and meal fee.
  - Per Diem will not be paid for meals included in the registration fee, hotel accommodations, or airline ticket (including continental breakfast, box lunch or buffet).
  - Per Diem will not be paid for time spent in travel status due to personal business, or other non-county business.
  - Per Diem will not be paid for travel between county offices
8. Lodging is reimbursed for actual costs; a detailed receipt is required for reimbursement. Lodging must be reserved at the government rate or at the least costly room rate.
  9. Travel Mileage is paid for approved use of a personal vehicle at the State of Washington approved automobile or motorcycle rate.
    - Roundtrip mileage is calculated from the workplace to the destination.
    - Mileage is only paid to one employee if two or more employees are traveling in the same vehicle.
  10. Rental Vehicles will be reimbursed for actual costs of a mid-size vehicle rental when used for business purposes only if a less costly alternative is unavailable and the vehicle rental is approved in advance. Actual fuel costs required to conduct official business while driving a rental vehicle will be reimbursed. The County does not pay for supplemental car rental insurance.
  11. Incidental expenses must be itemized, they must clearly be identified as necessary costs of business travel that are not expenses one would incur whether traveling or at home. Personal expenses or services will not be reimbursed.
  12. Each employee must submit their own reimbursement request and certify an itemized travel expense report upon return from travel. The report shall be on a form approved by the (BOCC and Auditor) and include a certification under penalty of perjury that the employee is familiar with this policy and is entitled to the reimbursements claimed, and that no other entity provided goods, services or reimbursements for the items claimed. Original itemized receipts are required for any item other than meals, for which direct reimbursement is claimed. No employee may receive reimbursements for other employees.
  13. Approval by the Elected Official or department head is required for department staff travel. Department Head travel is approved by the Chair of the Board. Board travel is approved by

the Presiding Superior Court Judge.

14. Participation on professional association boards or other organizations requiring travel or extensive amounts of work must have prior elected official approval.
15. Staff travel costs when acting as instructors, participating on a panel, etc. at conferences or training should be borne by the sponsoring organization. Prior elected official approval must be obtained if the county is to reimburse any of these costs.
16. Employees shall not receive monetary reimbursement or per diem for any travel related expenses from the County if they are eligible for reimbursement from another agency or entity, regardless of the rate of reimbursement.
17. This policy pertains to travel reimbursements not covered in bargaining agreements.

See also:

[X.2 – Use of County Vehicles and Private Vehicles](#)

[X.3 – Driver Requirements](#)

[X.4 – Responsibility of Drivers](#)

[XI.4 – Light Refreshments and Meals](#)

[XI.5 – Reimbursements for Volunteers](#)

### **XI.3 CREDIT CARDS**

Credit cards may be issued to Island County and used by County Officials and authorized employees for purchasing goods, supplies and other items from vendors or incurring registration and training in connection with the performance of their duties.

The Treasurer is authorized to obtain credit cards under the following system:

- A. Credit cards and modifications to credit limits will be requested through the County Auditor and require Board of County Commissioners' approval.
- B. The County Auditor will maintain a list of card numbers issued, authorized users of the cards including employee signatures, and a credit card user agreement. As a condition of use, each user of a credit card will sign a credit card user agreement between the employee and Island County. The Auditor will be notified of any user changes.
- C. The maximum transaction amount is \$2,500. Each single purchase may be comprised of multiple items, but the total must not exceed the \$2,500 transaction limit. Purchases may not be split to circumvent the transaction limit.
- D. Any expenditure of County funds must fall within County policies. Use of the credit card does not relieve the cardholder from complying with County and departmental policies and procedures. All purchases of materials, equipment and supplies shall comply with the advertising and competitive bidding requirements set forth in [I.C.C. Ch 2.29 and 2.30A.](#)

- E. The least expensive item that meets the needs of the department should be sought. Sufficient budgeted funds must be available for the purchase.
- F. The County Auditor will establish a procedure and implement accounting controls to ensure the proper use of credit cards. The Auditor will review the statements prior to payment, pay the bills promptly and submit the vouchers for BOCC approval at the next regularly scheduled Board meeting. The amount of any bill disallowed by the Board will be repaid to the County by the card holder with the County having the right to withhold funds.
- G. Credit cards may **not** be used to cover the following purchases:
1. Cash advances or cash refunds.
  2. Personal use of any kind is not allowed even if the person pays off the card prior to the date that the bill becomes due.
  3. For any non-county purchase.
  4. Items stocked in County Stores (unless required in an emergency).
  5. Goods or services on county contracts (unless payment by credit card was contracted).
  6. Services (i.e. consultant fees, window washing, temporary help, equipment repair, etc.)
  7. For payment of other invoices or statements.
  8. Leases and/or rentals.
  9. Credit cards are not to be used for travel, unless specifically authorized by the BOCC.
- H. The credit cards may be cancelled at any time for any of the following reasons:
1. The card is lost or stolen.
  2. The department head requests cancellation for any reason.
  3. Interest or late fees on purchases.
  4. Failure to send timely purchase documentation.
  5. Unauthorized use of the credit card.
  6. Use of the card for non-county expenditures.
  7. An internal or state audit finds misuse of a credit card by the department.
  8. By order of the BOCC.

See also:

Resolution C-59-13

[RCW 43.09.2855 Local governments—Use of credit cards](#)

[Chapter 43.19 RCW Department of Enterprise Services](#)

[I.C.C. Ch 2.29 and 2.30A](#)

#### **XI.4 LIGHT REFRESHMENTS and MEALS**

Generally, the County will not incur costs for refreshments or meals while not in travel status and will also not incur costs for other related items for meetings or functions held in the normal course of business that are attended solely by County employees.

**A. Light refreshments and beverages.** Light refreshments, coffee, non-alcoholic beverages and utensils may be provided for uncompensated members of boards, committees, councils, volunteers, and others in a similar category under the following terms:

1. When the meeting or training they are attending is anticipated to exceed two (2) hours in length, the cost of these refreshments shall not exceed \$5.00 per participant. When the meeting or training exceeds 4 hours in length, the cost of the refreshments shall not exceed \$7.00 per participant.
2. When the circumstances of the meeting or training clearly dictate that it will be conducted away from Island County or the use of County-owned facilities is not appropriate, suitable facilities may be rented for the meeting or training.
3. The provision of these items shall be authorized in writing in advance by the Department Head and the cost of these items shall be an expense of the sponsoring department.

**B. Refreshments during business meetings or training.** Payment may be authorized for the actual cost of refreshments for county employees, county officials and elected officials, regardless of travel status for business meetings or training sessions where attendance is advantageous to the County and all of the following requirements are met:

1. The meeting or training is a special situation or occasion outside of the normal daily business of county employees. County funds may not be used to provide refreshments for staff parties, routine staff meetings, routine departmental or informational meetings, or any event deemed to be social in nature.
2. The purpose of the meeting is to conduct official county business or to provide training to county employees, volunteers or county officials.
3. When the meeting or training they are attending is anticipated to exceed two (2) hours in length, the cost of these refreshments shall not exceed \$5.00 per participant. When the meeting or training exceeds 4 hours in length, the cost of the refreshments shall not exceed \$7.00 per participant.
4. When the circumstances of the meeting or training clearly dictate that it will be conducted away from Island County or the use of County-owned facilities is not appropriate, suitable facilities may be rented for the meeting or training.
5. The provision of these items shall be authorized in writing in advance by the Department Head

**C. Meals during emergency situations.** Meals may be provided for employees, who are not entitled to “meal pay” under a collective bargaining agreement, during major emergency situations. Reimbursement shall be limited to the lesser of the actual cost of the meal provided or the applicable meal per diem amount authorized in Island County PPPM Section XI.2.

**D. Drug Court Graduations.** Light refreshments and beverages for Drug Court graduations are authorized up to \$100.00 per event and will be funded through drug court participant fees.

- E. Annual Island County Employee Recognition Event.** An annual employee recognition event may be held in which Elected officials and all County employees are invited to celebrate the outstanding contributions and accomplishments of all Island County employees. Board of Commissioners' approval must be obtained in advance. The cost of refreshments shall not exceed \$5.00 per Elected Official or County employee whose attendance is anticipated at said event. Costs associated with individual department or special office recognition events are not considered eligible for reimbursement.
- F. Ceremonies and Celebrations.** Light refreshments and beverages associated with commemorations, dedications or an unveiling that is recognized as serving a public purpose are legitimate County expenditures. Private celebrations rather than public celebrations are not considered as serving a public purpose. Support of a local "event" or celebration may not take the form of a gratuitous contribution of public funds to a private person, committee or organization. Expenditure of public funds on a publicly sponsored event requires (1) the existence of a recognizable public or municipal purpose that directly relates to County business, (2) proper authorization in advance from the Board of County Commissioners, (3) a reasonable relationship between the amount of the County's expenditure and the "public" nature of the event, and (4) the event, ceremony or celebration must be open to the public to attend.
- G. Alcoholic beverages prohibited.** Under no circumstances may alcohol be provided at County expense.

**THIS POLICY DOES NOT OBLIGATE OR REQUIRE THE COUNTY TO PROVIDE LIGHT REFRESHMENTS, BEVERAGES, OR MEALS TO COUNTY EMPLOYEES, OFFICIALS OR VOLUNTEERS UNDER ANY CIRCUMSTANCES.**

## **XI.5 REIMBURSEMENTS FOR VOLUNTEERS**

**Mileage, meal and travel reimbursements for volunteers serving on Island County boards and committees.**

Absent provisions of law to the contrary, members of Island County boards, committees, councils, and others in a similar category, who serve without compensation, may be reimbursed for reasonable and necessary travel expenses while conducting official county business, at the same rates and under the same requirements applicable to County employees. Provision for such reimbursement shall be included in the document establishing said boards, committees and councils or approved in advance by the Board of Commissioners.